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DEPARTMENT OF JUSTICE
EXECUTIVE SECRETARIAT CONTROL DATA SHEET

From: BUSH, GEORGE, PRESIDENT OF THE UNITED STATES
To: EMPLOYEES OF THE FEDERAL GOVERNMENT ODD: NONE
Date Received: 12-18-92 Date Due: NONE Control #: X92121817918
Subject & Date
UNDATED LETTER EXTENDING GREETINGS TO FEDERAL EMPLOYEES AND THEIR FAMILIES AS THEY CELEBRATE THE 1992 HOLIDAY SEASON.
(REC'D FROM OAG.)

Referred To:	Date:	Referred To:	Date:	
(1) JMD;FLICKINGER	12-18-92	(5)		W/IN:
(2)		(6)		
(3)		(7)		PRTY:
(4)		(8)		1
INTERIM BY:		DATE:		OPR:
Sig. For: JMD		Date Released:		MAU

Remarks
INFO CC: OAG, DAG, ASG.
(1) ORIGINAL TO JMD FOR APPROPRIATE HANDLING.

Other Remarks:

OLA CONTACT:
12/18/92 TTR FYI
FILE: PRESIDENTIAL/CORRESPONDENCE

REMOVE THIS CONTROL SHEET PRIOR TO FILING AND DISPOSE OF APPROPRIATELY
****

1 of 1 DOCUMENT

AMERICAN OVERSIGHT

U.S. Department of Justice
Office of the Attorney General

12/17/92

WHITE HOUSE CABINET AFFAIRS sent this over through Gene Scalia to be distributed to DOJ employees.

RECEIVED
DEPARTMENT OF JUSTICE
'92 DEC 18 P3:49
EXECUTIVE SECRETARIAT

AMERICAN OVERSIGHT

THE WHITE HOUSE

WASHINGTON

1992

TO EMPLOYEES OF THE FEDERAL GOVERNMENT

I am pleased to extend greetings to Federal employees and their families as we celebrate the 1992 holiday season.

During this season that includes celebrations of Thanksgiving, Christmas, and Hanukkah, we recall the unique message of each holiday, as well as its relevance to our lives. Although these occasions differ from each other in many ways, they share a common theme: the celebration of faith and freedom. On Thanksgiving, our ancestors praised God for their safety and food and for the promise of freedom in a new land. Hanukkah recalls the ancient Israelites' victory over oppression and the rededication of their Holy Temple in Jerusalem. Christmas recalls the birth of Jesus, whose life changed the course of history and taught us what it means to love God and neighbor. Whenever we worship, we Americans share a strong commitment to faith and freedom. Therefore, during this holy season we also give thanks for our great system of democratic government.

The United States Government and the democracy that it supports could not endure without the legions of dedicated workers who comprise the Federal work force. Administrations may change, but one thing remains constant: Americans owe a great debt of gratitude to the men and women who ensure the smooth functioning of various Federal agencies and oversee the vast Federal resources that belong to all of our citizens. It has been a great honor to work with so many of you over the years, and on behalf of all Americans, I salute you.

Barbara joins me in wishing all of you a wonderful holiday season and a very happy New Year.



AMERICAN OVERSIGHT

DEPARTMENT OF JUSTICE
EXECUTIVE SECRETARIAT CONTROL DATA SHEET

From: BUSH, GEORGE, PRESIDENT OF THE UNITED STATES
To: POSTMASTER GENERAL (CC: ACTING AG./TERWILLIGER)ODD: NONE
Date Received: 12-14-92 Date Due: NONE Control #: X92121417669
Subject & Date
12-11-92 LETTER (COPY) ADVISING THAT HE HAS BEEN INFORMED BY DOJ THAT FILINGS HAVE BEEN MADE IN THE U.S. COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT PURPORTEDLY ON BEHALF OF THE U.S. POSTAL SERVICE WITHOUT THE AUTHORIZATION OF THE AG, CONTRARY TO 39 U.S.C. 409(d). DIRECTS THE POSTMASTER GENERAL TO COOPERATE FULLY WITH THE AG IN ARRANGING FOR THE WITHDRAWAL OF THOSE FILINGS. THIS DIRECTIVE ALSO EXTENDS TO THE GOVERNORS AND THE BOARD OF **

	Referred To:	Date:		Referred To:	Date:	
(1)	CIV;GERSON	12-14-92	(5)			W/IN:
(2)			(6)			
(3)			(7)			PRTY:
(4)			(8)			1S
	INTERIM BY:			DATE:		OPR:
	Sig. For: NONE			Date Released:		MAU

Remarks
** GOVERNORS OF THE U.S. POSTAL SERVICE, IF ANY ACTION ON THEIR PART IS NECESSARY IN ORDER TO IMPLEMENT IT.
(SEE EXEC. SEC. 92110215910 & 92103015816 - CONTROL SHEETS ATTACHED.)
.
INFO CC: OAG (LEVIN), DAG.
(1) FOR INFORMATION.

Other Remarks:

OLA CONTACT:

FILE: PRESIDENTIAL/CORRESPONDENCE

REMOVE THIS CONTROL SHEET PRIOR TO FILING AND DISPOSE OF APPROPRIATELY
****

11 DECEMBER 92

AMERICAN OVERSIGHT

THE WHITE HOUSE

WASHINGTON

December 11, 1992

RECEIVED
DEPARTMENT OF JUSTICE
'92 DEC 14 P12:02
EXECUTIVE SECRETARIAT

MEMORANDUM FOR THE POSTMASTER GENERAL

I am informed by the Department of Justice that filings have been made in the United States Court of Appeals for the District of Columbia Circuit purportedly on behalf of the United States Postal Service without the authorization of the Attorney General, contrary to 39 U.S.C. 409(d). Accordingly, pursuant to my authority as Chief Executive and my obligation to take care that the laws are faithfully executed, I direct you to cooperate fully with the Attorney General in arranging for the withdrawal of those filings. This directive also extends to the Governors and the Board of Governors of the United States Postal Service, if any action on their part is necessary in order to implement it.

cc: Chairman Norma Pace
The Honorable Susan E. Alvarado
The Honorable LeGree Sylvia Daniels
The Honorable Tirso del Junco
The Honorable John N. Griesemer
The Honorable Bert H. Mackie
The Honorable Crocker Nevin
The Honorable Robert Setrakian
The Honorable J. Sam Winters
The Honorable Michael S. Coughlin
Acting Attorney General George Terwilliger

AMERICAN OVERSIGHT

NARA-18-1003-A-004326

DEPARTMENT OF JUSTICE
EXECUTIVE SECRETARIAT CONTROL DATA SHEET

From: BUSH, PRESIDENT GEORGE, THE WHITE HOUSE
To: HEADS OF EXEC. DEPTS. & AGENCIES (AG.) ODD: NONE
Date Received: 12-02-92 Date Due: NONE Control #: X92120217252
Subject & Date
11-30-92 MEMO DIRECTING ALL FEDERAL DEPARTMENTS, AGENCIES AND OFFICIALS, CONSISTENT WITH THE CONSTITUTION AND THE LAWS OF THE UNITED STATES, HENCEFORWARD TO TREAT THE COMMONWEALTH OF PUERTO RICO ADMINISTRATIVELY AS IF IT WERE A STATE, EXCEPT WITH RESPECT TO AN EXISTING FEDERAL PROGRAM OR ACTIVITY WOULD CHANGE FEDERAL RECEIPTS OR EXPENDITURES, OR WOULD SERIOUSLY DISRUPT THE OPERATION OF SUCH PROGRAM OR ACTIVITY. THIS GUIDANCE SHALL REMAIN IN EFFECT UNTIL **

Referred To:	Date:	Referred To:	Date:	
(1) OAG;	12-02-92	(5)		W/IN:
(2)		(6)		
(3)		(7)		PRTY:
(4)		(8)		1
INTERIM BY:		DATE:		OPR:
Sig. For: NONE		Date Released:		EHZ

Remarks
** FEDERAL LEGISLATION IS ENACTED ALTERING THE CURRENT STATUS OF PUERTO RICO IN ACCORDANCE WITH THE WISHES OF THE PEOPLE OF PUERTO RICO. THIS MEMORANDUM SHALL BE PUBLISHED IN THE "FEDERAL REGISTER."
.
INFO CC: DAG, ASG.
(1) FOR INFORMATION.

Other Remarks:
12-03-92: PER ODAG/REINHARDT COPIES PROVIDED HEADS OF ALL COMPONENTS - DISPATCHED BY EXEC. SEC. ON 12-03-92. (HBR)

OLA CONTACT:
12/3/92 DF FYI
FILE: PRESIDENTIAL/CORRESPONDENCE

REMOVE THIS CONTROL SHEET PRIOR TO FILING AND DISPOSE OF APPROPRIATELY
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CIW 30 NOVEMBER 92

AMERICAN OVERSIGHT

THE WHITE HOUSE

WASHINGTON

November 30, 1992

RECEIVED
DEPARTMENT OF JUSTICE
'92 DEC -2 P3:2
EXECUTIVE SECRETARIAT

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

Puerto Rico is a self-governing territory of the United States whose residents have been United States citizens since 1917 and have fought valorously in five wars in the defense of our Nation and the liberty of others.

On July 25, 1952, as a consequence of steps taken by both the United States Government and the people of Puerto Rico voting in a referendum, a new constitution was promulgated establishing the Commonwealth of Puerto Rico. The Commonwealth structure provides for self-government in respect of internal affairs and administration, subject to relevant portions of the Constitution and the laws of the United States. As long as Puerto Rico is a territory, however, the will of its people regarding their political status should be ascertained periodically by means of a general right of referendum or specific referenda sponsored either by the United States Government or the Legislature of Puerto Rico.

Because Puerto Rico's degree of constitutional self-government, population, and size set it apart from other areas also subject to Federal jurisdiction under Article IV, section 3, clause 2 of the Constitution, I hereby direct all Federal departments, agencies, and officials, to the extent consistent with the Constitution and the laws of the United States, henceforward to treat Puerto Rico administratively as if it were a State, except insofar as doing so with respect to an existing Federal program or activity would increase or decrease Federal receipts or expenditures, or would seriously disrupt the operation of such program or activity. With respect to a Federal program or activity for which no fiscal baseline has been established, this memorandum shall not be construed to require that such program or activity be conducted in a way that increases or decreases Federal receipts or expenditures relative to the level that would obtain if Puerto Rico were treated other than as a State.

AMERICAN OVERSIGHT

NARA-18-1003-A-004328

If any matters arise involving the fundamentals of Puerto Rico's status, they shall be referred to the Office of the President.

This guidance shall remain in effect until Federal legislation is enacted altering the current status of Puerto Rico in accordance with the freely expressed wishes of the people of Puerto Rico.

The memorandum for the heads of executive departments and agencies on this subject, issued July 25, 1961, is hereby rescinded.

This memorandum shall be published in the Federal Register.

AMERICAN OVERSIGHT

DEPARTMENT OF JUSTICE
EXECUTIVE SECRETARIAT CONTROL DATA SHEET

From: QUAYLE, DAN, THE VICE PRESIDENT
To: CERTAIN DEPARTMENT & AGENCY HEADS (AG.) ODD: NONE
Date Received: 11-23-92 Date Due: NONE Control #: X92112316878
Subject & Date
11-20-92 MEMO REGARDING THE CONTINUATION OF REGULATORY MORATORIUM. ADVISES THAT ON JANUARY 28, 1992, THE PRESIDENT INITIATED A GOVERNMENT-WIDE REGULATORY RELIEF INITIATIVE AND, IN AUGUST, REQUESTED THAT THE MORATORIUM BE EXTENDED BY ONE YEAR. EACH AGENCY SHOULD CONTINUE TO FOLLOW THE PROCEDURES AND SUBSTANTIVE STANDARDS ESTABLISHED BY THE PRESIDENT'S MEMO (COPY ATTACHED) THROUGH JANUARY 20, 1993. IN PARTICULAR, EACH AGENCY SHOULD CONTINUE TO ADHERE TO **

	Referred To:	Date:		Referred To:	Date:	
(1)	ATR;JAMES	11-23-92	(5)			W/IN:
(2)			(6)			
(3)			(7)			PRTY:
(4)			(8)			1
	INTERIM BY:			DATE:		OPR:
	Sig. For: ATR			Date Released:		MAU

Remarks
** THE MORATORIUM ON NEW REGULATIONS DESCRIBED IN PARAGRAPH 4 OF THE PRESIDENT'S MEMO.
(SEE EXEC. SEC. 92012901471(9) & 92081011973 - CONTROL SHEETS ATTACHED.).
.
INFO CC: OAG, DAG, ASG, OPC/OPD.
(1) FOR APPROPRIATE HANDLING.

Other Remarks:

OLA CONTACT:
11/23/92 DF FYI
FILE: PRESIDENTIAL/CORRESPONDENCE

REMOVE THIS CONTROL SHEET PRIOR TO FILING AND DISPOSE OF APPROPRIATELY
****

20 NOVEMBER 92

AMERICAN OVERSIGHT

THE VICE PRESIDENT
WASHINGTON

RECEIVED
DEPARTMENT OF JUSTICE
'92 NOV 23 A9:48
EXECUTIVE SECRETARIAT

NOVEMBER 20, 1992

MEMORANDUM FOR CERTAIN DEPARTMENT AND AGENCY HEADS

FROM: THE VICE PRESIDENT

SUBJECT: Continuation of Regulatory Moratorium

On January 28, 1992, the President initiated a government-wide regulatory relief initiative, described in the attached memorandum. He asked each of you to evaluate existing regulations and programs and to accelerate initiatives that will create jobs and foster economic growth. An integral part of this effort has been a regulatory moratorium, with respect to rules and regulations other than those specifically excepted. This moratorium was to be carried out to the maximum extent allowed by law. This August, the President requested that the moratorium be extended by one year.

Your response to the President's initiative has been gratifying. The Administration has already implemented numerous concrete reforms that will ultimately lower prices for American consumers, create additional jobs for American worker, increase the amount of credit available for economic growth, reduce the cost of home loans, and cut red tape for small businesses and emerging industries, such as biotechnology, which will be the backbone of our economy. The Regulatory Reform Working Group estimates that ultimately these initiatives will create economic benefits valued at $25-30 billion annually. Both the President and I are very proud of this accomplishment.

In order to fulfill the President's regulatory agenda, it is essential that each agency should continue to follow the procedures and substantive standards established by the President's memorandum through January 20, 1993. In particular, each agency should continue to adhere to the moratorium on new regulations, described in paragraph 4 of the attached President's memorandum.

AMERICAN OVERSIGHT
FOIA # 60048 (URTS 16455) DocId: 70106658 Page 10
NARA-18-1003-A-004331

THE WHITE HOUSE

WASHINGTON

January 28, 1992

MEMORANDUM FOR CERTAIN DEPARTMENT AND AGENCY HEADS

SUBJECT: Reducing the Burden of Government Regulation

As you know, excessive regulation and red tape have imposed an enormous burden on our economy -- a hidden tax on the average American household in the form of higher prices for goods and services. Just as Americans have the right to expect their government to spend tax dollars wisely, they have the right to expect cost-effective and minimally burdensome regulation. Although the Congress has thus far failed to pass most of the Administration's regulatory reform proposals, there is much the Administration can and should do on its own to reduce the burden of regulation.

A major part of this undertaking must be to weed out unnecessary and burdensome government regulations, which impose needless costs on consumers and substantially impede economic growth. We must be constantly vigilant to avoid unnecessary regulation and red tape.

We must also remember that even those regulatory programs that may have been justified when adopted often fail to keep pace with important innovations. New technologies and markets can quickly make existing rules obsolete. By the same token, existing regulations often impose unnecessary constraints on emerging technologies and markets that could not have been foreseen at the time the regulations were promulgated. Existing regulatory programs also need to be revised to take advantage of regulatory innovations, such as the flexible, market-based approaches to regulation that many of your agencies have developed over the past few years.

I am concerned that, because of the constant pressure to develop new programs, we are not doing nearly enough to review and revise existing programs. For that reason, I ask that each of your agencies set aside a 90-day period, beginning today, to evaluate existing regulations and programs and to identify and accelerate action on initiatives that will eliminate any unnecessary regulatory burden or otherwise promote economic growth. During this period, agency resources should, to the maximum extent possible, be devoted to these efforts. Specifically, I request that you take the following steps:

AMERICAN OVERSIGHT

1. During the 90-day review period, your agency should work with the public, other interested agencies, the Office of Information and Regulatory Affairs, and the Council on Competitiveness to (i) identify each of your agency's regulations and programs that impose a substantial cost on the economy and (ii) determine whether each such regulation or program adheres to the following standards:

   (a) The expected benefits to society of any regulation should clearly outweigh the expected costs it imposes on society.

   (b) Regulations should be fashioned to maximize net benefits to society.

   (c) To the maximum extent possible, regulatory agencies should set performance standards instead of prescriptive command-and-control requirements, thereby allowing the regulated community to achieve regulatory goals at the lowest possible cost.

   (d) Regulations should incorporate market mechanisms to the maximum extent possible.

   (e) Regulations should provide clarity and certainty to the regulated community and should be designed to avoid needless litigation.

2. To the maximum extent permitted by law, and as soon as possible, your agency should propose administrative changes (including repeal, where appropriate) that will bring each regulation and program into conformity with the standards set forth above. As you implement these proposals, you should carefully order your agency's regulatory priorities to ensure that programs imposing the largest unnecessary burden are the first to be revised or eliminated.

3. You should designate, in consultation with the Council on Competitiveness, a senior official to serve as your agency's permanent regulatory oversight official. This person will be responsible for conducting the review, for implementing the resulting proposals, and for ensuring that future regulatory actions conform to the standards set forth in this memorandum and in applicable Executive orders.

4. To the maximum extent permitted by law, and subject to the exceptions listed below, your agency should refrain from issuing any proposed or final rule during the 90-day review

AMERICAN OVERSIGHT
FOIA # 60048 (URTS 16455) DocId: 70106658 Page 12
NARA-18-1003-A-004333

period. This moratorium on new regulations will ensure that, to the maximum extent possible, agency resources are devoted to reducing the regulatory burden on the economy. Of course, you should not postpone any regulation that is subject to a statutory or judicial deadline that falls during the review period. This moratorium does not apply to:

(a) regulations that you determine, after consultation with the working group of the Council on Competitiveness described below, will foster economic growth;

(b) regulations that respond to emergencies such as situations that pose an imminent danger to human health or safety;

(c) regulations that you determine, after consultation with the working group of the Council on Competitiveness described below, are essential to a criminal law enforcement function of the United States;

(d) regulations issued with respect to a military or foreign affairs function of the United States;

(e) regulations related solely to agency organization, management, or personnel; and

(f) formal regulations required by statute to be made on the record after opportunity for an agency hearing.

5. At the end of the review period, each agency should submit a written report to me. Each report should indicate the regulatory changes recommended or made during the review period and the potential savings to the economy of those changes, including an estimate of the number of jobs that will be created. It should also include a summary of any regulatory programs that are left unchanged and an explanation of how such programs are consistent with the regulatory standards set forth in paragraph 1 above.

The 90-day review, and the preparation of the reports described in paragraph 5 above, will be coordinated by a working group of the Council on Competitiveness, chaired by the Chairman of the Council of Economic Advisers and the Counsel to the President.

I look forward to your reports on this important undertaking. I am confident that, with your help, the executive branch can do much to create conditions conducive to a healthy and robust economy.

AMERICAN OVERSIGHT
FOIA # 60048 (URTS 16455) Doc ID: 70106658 Page 13
NARA-18-1003-A-004334

DEPARTMENT OF JUSTICE
EXECUTIVE SECRETARIAT CONTROL DATA SHEET

From: BUSH, GEORGE, PRESIDENT, THE WHITE HOUSE
To: U.S. COORDINATOR FOR REFUGEE AFFAIRS (CC: AG.) ODD: NONE
Date Received: 10-06-92 Date Due: NONE Control #: X92100614657
Subject & Date
10-02-92 MEMO (COPY OF PRESIDENTIAL DETERMINATION No. 93-1)
REGARDING DETERMINATION OF FY 1993 REFUGEE ADMISSIONS
NUMBERS AND AUTHORIZATION OF IN-COUNTRY REFUGEE STATUS
PURSUANT TO SECTIONS 207 AND 101(a)(42), RESPECTIVELY, OF TH
THE IMMIGRATION AND NATIONALITY ACT. THE U.S. COORDINATOR
FOR REFUGEE AFFAIRS IS SUTHORIZED AND DIRECTED TO REPORT
THIS DETERMINATION TO THE CONGRESS IMMEDIATELY AND TO
PUBLISH IT IN THE "FEDERAL REGISTER."

Referred To:	Date:	Referred To:	Date:	
(1) OAG;	10-06-92	(5)		W/IN:
(2)		(6)		
(3)		(7)		PRTY:
(4)		(8)		1
INTERIM BY:		DATE:		OPR:
Sig. For: NONE		Date Released:		EHZ

Remarks
INFO CC: DAG, INS.
(1) FOR INFORMATION.

2 OCTOBER 92

Other Remarks:

OLA CONTACT:

FILE: PRESIDENTIAL/CORRESPONDENCE
CROSS REFERENCES:
1. IMMIGRATION/General

REMOVE THIS CONTROL SHEET PRIOR TO FILING AND DISPOSE OF APPROPRIATELY
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AMERICAN OVERSIGHT

NATIONAL SECURITY COUNCIL
DISTRIBUTION RECEIPT

LOG 9207300
DATE 02 OCT 92

SUBJECT: PD FOR FY 1993 REFUGEE ADMISSIONS
DOCUMENT CLASSIFICATION: UNCLASSIFIED

'92 OCT -6 A8:49

EXTERNAL DISTRIBUTION:	DATE	TIME	SIGNATURE
LAFONTANT-MANKARIOUS, J DEPARTMENT OF STATE OFFICE OF REFUGEE AFFAIRS ROOM 6333			COPY: ORIGINAL+1
BARR, W DEPARTMENT OF JUSTICE ROOM 5214, MAIN JUSTICE 10TH & CONSTITUTION AVE, NW WASHINGTON, DC	10-06-92	10:49am	Evelyn Zier COPY: 2
SULLIVAN, L DEPARTMENT OF HEALTH & HUMAN SERVICES VIA EXECUTIVE SECRETARY ROOM 603H, HUMPHREY BLDG 200 INDEPENDENCE AVE, SW WASHINGTON, DC 20201			COPY: 2
PEARSON, W DEPARTMENT OF STATE ROOM 7224, MAIN STATE 2201 C STREET, NW WASHINGTON, DC 20520			COPY: 2
WOLFE, J AGENCY FOR INTL DEVELOPMENT ROOM 5897, NEW STATE 2201 C STREET, NW WASHINGTON, DC 20523			COPY: 2
DUSAULT, P OFFICE OF MANAGEMENT & BUDGET INTL SECURITY AFFAIRS ROOM 8201 NEOB			COPY: 2

DATE, TIME, SIGN THE RECEIPT AND RETURN TO: NSC, ROOM 379 OEOB

AMERICAN OVERSIGHT
FOIA # 60048 (URTS 16455) DocId: 70106658 Page 15
NARA-18-1003-A-004336

THE WHITE HOUSE

WASHINGTON

October 2, 1992

Presidential Determination
No. 93-1

MEMORANDUM FOR THE UNITED STATES COORDINATOR FOR REFUGEE AFFAIRS

SUBJECT: Determination of FY 1993 Refugee Admissions Numbers and Authorization of In-Country Refugee Status Pursuant to Sections 207 and 101(a)(42), Respectively, of the Immigration and Nationality Act

In accordance with section 207 of the Immigration and Nationality Act ("the Act") (8 U.S.C. 1157), and after appropriate consultation with the Congress, I hereby make the following determinations and authorize the following actions:

a. The admission of up to 132,000 refugees to the United States during FY 1993 is justified by humanitarian concerns or is otherwise in the national interest; provided, however, that this number shall be understood as including persons admitted to the United States during FY 1993 with Federal refugee resettlement assistance under the Amerasian immigrant admissions program, as provided in paragraph (b) below.

   Ten thousand of these admissions numbers shall be set aside for private sector admissions initiatives, and may be used for any region. The admission of refugees using these numbers shall be contingent upon the availability of private sector funding sufficient to cover the reasonable costs of such admissions.

b. The 122,000 funded admissions shall be allocated among refugees of special humanitarian concern to the United States as described in the documentation presented to the Congress during the consultations that preceded this determination and in accordance with the following regional allocations; provided, however, that the number allocated to the East Asia region shall include persons admitted to the

AMERICAN OVERSIGHT

NARA-18-1003-A-004337

United States during FY 1993 with Federal refugee resettlement assistance under section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act of 1988, as contained in section 101(e) of Public Law 100-202 (Amerasian immigrants and their family members); provided further that the number allocated to the former Soviet Union shall include persons admitted who were nationals of the former Soviet Union, or in the case of persons having no nationality, who were habitual residents of the former Soviet Union, prior to September 2, 1991:

Africa	7,000
East Asia	52,000
Former Soviet Union	50,000
Eastern Europe	1,500
Near East/South Asia	7,000
Latin America/Caribbean	3,500
Unallocated (funded)	1,000

Utilization of the 122,000 federally funded admissions numbers shall be limited by such public and private funds as shall be available for refugee and Amerasian immigrant admissions in FY 1993. You are hereby authorized and directed to so advise the judiciary committees of the Congress.

The 1,000 unallocated federally funded numbers shall be allocated as needed. Unused admissions numbers allocated to a particular region within the 122,000 federally funded ceiling may be transferred to one or more other regions if there is an overriding need for greater numbers for the region or regions to which the numbers are being transferred. You are hereby authorized and directed to consult with the judiciary committees of the Congress prior to any such reallocation.

The 10,000 privately funded admissions not designated for any country or region may be used for refugees of special humanitarian concern to the United States in any region of the world at any time during the fiscal year. You are hereby authorized and directed to notify the judiciary committees of the Congress in advance of the intended use of these numbers.

AMERICAN OVERSIGHT

c. An additional 10,000 refugee admissions numbers shall be made available during FY 1993 for the adjustment to permanent resident status under section 209(b) of the Act (8 U.S.C. 1159(b)) of aliens who have been granted asylum in the United States under section 208 of the Act (8 U.S.C. 1158), as this is justified by humanitarian concerns or is otherwise in the national interest.

In accordance with section 101(a)(42) of the Act (8 U.S.C. 1101(a)(42)) and after appropriate consultation with the Congress, I also specify that, for FY 1993, the following persons may, if otherwise qualified, be considered refugees for the purpose of admission to the United States within their countries of nationality or habitual residence:

a. Persons in Vietnam.

b. Persons in Cuba, El Salvador, Guatemala, and Haiti.

c. Persons in the former Soviet Union.

You are authorized and directed to report this Determination to the Congress immediately and to publish it in the Federal Register.

cc: The Secretary of State
The Attorney General
The Secretary of Health and Human Services

AMERICAN OVERSIGHT

THE WHITE HOUSE

WASHINGTON

October 2, 1992

Presidential Determination
No. 93-1

MEMORANDUM FOR THE UNITED STATES COORDINATOR FOR REFUGEE AFFAIRS

SUBJECT: Determination of FY 1993 Refugee Admissions Numbers and Authorization of In-Country Refugee Status Pursuant to Sections 207 and 101(a)(42), Respectively, of the Immigration and Nationality Act

In accordance with section 207 of the Immigration and Nationality Act ("the Act") (8 U.S.C. 1157), and after appropriate consultation with the Congress, I hereby make the following determinations and authorize the following actions:

a. The admission of up to 132,000 refugees to the United States during FY 1993 is justified by humanitarian concerns or is otherwise in the national interest; provided, however, that this number shall be understood as including persons admitted to the United States during FY 1993 with Federal refugee resettlement assistance under the Amerasian immigrant admissions program, as provided in paragraph (b) below.

Ten thousand of these admissions numbers shall be set aside for private sector admissions initiatives, and may be used for any region. The admission of refugees using these numbers shall be contingent upon the availability of private sector funding sufficient to cover the reasonable costs of such admissions.

b. The 122,000 funded admissions shall be allocated among refugees of special humanitarian concern to the United States as described in the documentation presented to the Congress during the consultations that preceded this determination and in accordance with the following regional allocations; provided, however, that the number allocated to the East Asia region shall include persons admitted to the

AMERICAN OVERSIGHT

NARA-18-1003-A-004340

United States during FY 1993 with Federal refugee resettlement assistance under section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act of 1988, as contained in section 101(e) of Public Law 100-202 (Amerasian immigrants and their family members); provided further that the number allocated to the former Soviet Union shall include persons admitted who were nationals of the former Soviet Union, or in the case of persons having no nationality, who were habitual residents of the former Soviet Union, prior to September 2, 1991:

Africa	7,000
East Asia	52,000
Former Soviet Union	50,000
Eastern Europe	1,500
Near East/South Asia	7,000
Latin America/Caribbean	3,500
Unallocated (funded)	1,000

Utilization of the 122,000 federally funded admissions numbers shall be limited by such public and private funds as shall be available for refugee and Amerasian immigrant admissions in FY 1993. You are hereby authorized and directed to so advise the judiciary committees of the Congress.

The 1,000 unallocated federally funded numbers shall be allocated as needed. Unused admissions numbers allocated to a particular region within the 122,000 federally funded ceiling may be transferred to one or more other regions if there is an overriding need for greater numbers for the region or regions to which the numbers are being transferred. You are hereby authorized and directed to consult with the judiciary committees of the Congress prior to any such reallocation.

The 10,000 privately funded admissions not designated for any country or region may be used for refugees of special humanitarian concern to the United States in any region of the world at any time during the fiscal year. You are hereby authorized and directed to notify the judiciary committees of the Congress in advance of the intended use of these numbers.

AMERICAN OVERSIGHT

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a. Persons in Vietnam.

b. Persons in Cuba, El Salvador, Guatemala, and Haiti.

c. Persons in the former Soviet Union.

You are authorized and directed to report this Determination to the Congress immediately and to publish it in the Federal Register.

cc: The Secretary of State
The Attorney General
The Secretary of Health and Human Services

AMERICAN OVERSIGHT

DEPARTMENT OF JUSTICE
EXECUTIVE SECRETARIAT CONTROL DATA SHEET

From: BUSH, GEORGE, PRESIDENT OF THE UNITED STATES
To: HEADS OF EXECUTIVE DEPTS. AND AGENCIES (AG.) ODD: NONE
Date Received: 08-27-92 Date Due: NONE Control #: X92082712861
Subject & Date
08-26-92 MEMO REGARDING ADMINISTRATIVE DISMISSAL OF EMPLOYEES AFFECTED BY HURRICANE ANDREW. REQUESTS HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES WHO HAVE FEDERAL CIVILIAN EMPLOYEES IN THE GEOGRAPHIC AREAS DESIGNATED AS DISASTER AREAS BECAUSE OF HURRICANE ANDREW TO USE THEIR DISCRETION UNDER OPM AND AGENCY REGULATIONS AND WHERE APPROPRIATE EXCUSE FROM DUTY, WITHOUT CHARGE TO LEAVE OR LOSS OF PAY, ANY SUCH EMPLOYEE WHO IS FACED WITH A **

Referred To:	Date:		Referred To:	Date:	
(1) JMD;FLICKINGER	08-27-92	(5)			W/IN:
(2)		(6)			
(3)		(7)			PRTY:
(4)		(8)			1
INTERIM BY:		DATE:			OPR:
Sig. For: JMD		Date Released:			MAU

Remarks
** PERSONAL EMERGENCY BECAUSE OF THE STORM AND WHO CAN BE SPARED FROM HIS OR HER USUAL RESPONSIBILITIES. THIS POLICY SHOULD ALSO BE APPLIED TO ANY EMPLOYEE WHO IS NEEDED FOR EMERGENCY LAW ENFORCEMENT, RELIEF, OR CLEAN-UP EFFORTS AUTHORIZED BY FEDERAL, STATE, OR LOCAL OFFICIALS HAVING JURISDICTION.
(SEE EXEC. SEC. 92082712863 CONTROL SHEET ATTACHED.)

Other Remarks:
INFO CC: OAG, DAG, ASG.
(1) FOR APPROPRIATE HANDLING.

OLA CONTACT:

FILE: PRESIDENTIAL/CORRESPONDENCE
J920827 3433

REMOVE THIS CONTROL SHEET PRIOR TO FILING AND DISPOSE OF APPROPRIATELY
****

26 August 92

AMERICAN OVERSIGHT

THE WHITE HOUSE

WASHINGTON

August 26, 1992

RECEIVED
DEPARTMENT OF JUSTICE
'92 AUG 27 P4:09
EXECUTIVE SECRETARIAT

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: Administrative Dismissal of Employees Affected by Hurricane Andrew

Our hearts go out to the thousands of Americans in South Florida and along the Gulf Coast who have suffered tragic losses at the hands of Hurricane Andrew. Many parts of the Federal Government have been mobilized to respond to this disaster and to begin a massive effort to recover from the ravages of this storm.

As part of this effort, I request heads of executive departments and agencies who have Federal civilian employees in the geographic areas designated as disaster areas because of Hurricane Andrew to use their discretion under OPM and agency regulations and where appropriate excuse from duty, without charge to leave or loss of pay, any such employee who is faced with a personal emergency because of the storm and who can be spared from his or her usual responsibilities. This policy should also be applied to any employee who is needed for emergency law enforcement, relief, or clean-up efforts authorized by Federal, State, or local officials having jurisdiction.

AMERICAN OVERSIGHT

DEPARTMENT OF JUSTICE
EXECUTIVE SECRETARIAT CONTROL DATA SHEET

From: VICE PRESIDENT QUAYLE
To: CERTAIN DEPT. & AGENCY HEADS (AG.) ODD: NONE
Date Received: 08-10-92 Date Due: NONE Control #: X92081011973
Subject & Date
08-04-92 MEMO REGARDING THE PRESIDENT'S REGULATORY REVIEW INITIATIVE. REMINDS THAT EVERY AGENCY INVOLVED IN THIS INITIATIVE HAS BEEN ASKED BY THE PRESIDENT TO PERFORM A COST/BENEFIT ANALYSIS FOR EACH MAJOR RULE. THESE SHOULD BE SUBMITTED IN A TIMELY FASHION TO ALLOW REVIEW PRIOR TO THE ISSUANCE OF NEW REGULATIONS.
(SEE EXEC. SEC. 92052207986, 92050106765 AND 92012901471(9) CONTROL SHEETS ATTACHED.)

Referred To:	Date:		Referred To:	Date:	
(1) ATR;JAMES	08-10-92	(5)			W/IN:
(2)		(6)			
(3)		(7)			PRTY:
(4)		(8)			1
INTERIM BY:			DATE:		OPR:
Sig. For: ATR			Date Released:		EHZ

4 AUGUST 92

Remarks
INFO CC: OAG, DAG, ASG, OPC/OPD.
(1) FOR APPROPRIATE HANDLING.
(SEE EXEC. SEC. 92112316878.)

Other Remarks:

OLA CONTACT:
8/11/92 JRH FYI
FILE: PRESIDENTIAL/CORRESPONDENCE
CROSS REFERENCES:
1. REGULATIONS

REMOVE THIS CONTROL SHEET PRIOR TO FILING AND DISPOSE OF APPROPRIATELY
****

AMERICAN OVERSIGHT

THE VICE PRESIDENT
WASHINGTON

RECEIVED
DEPARTMENT OF JUSTICE
'92 AUG 10 A11:52
EXECUTIVE SECRETARIAT

MEMORANDUM FOR CERTAIN DEPARTMENT AND AGENCY HEADS

From: **The Vice President**

Subject: **The President's Regulatory Review Initiative**

Date: **August 4, 1992**

I want to commend you on your response to the President's Regulatory Reform Initiative. The results of the first 90 days exceeded our expectations, and our efforts continue at pace.

When the President extended the original moratorium and review, he called for implementation of reforms to promote economic growth that you targeted during the first phase. I trust you are well on your way to implementing these much needed reforms. The Working Group of the Council on Competitiveness, chaired by Michael Boskin and Boyden Gray, will continue to work with you as you implement your reforms.

In some cases it is necessary to issue new regulations to implement your pro-growth reforms or to modify existing regulations to reflect changing circumstances. However, at the President's request, a moratorium remains in effect for all new regulations that do not qualify for an exemption to the moratorium, as set forth in the President's memo dated January 28, 1992. Therefore, please be certain that, before your agency submits any regulation for review by the Executive Office of the President, you or your regulatory oversight official has carefully analyzed the proposed regulation and has concluded that it qualifies for an exemption under the moratorium. Agencies with questions regarding exemptions to the moratorium should contact the Working Group of the Council on Competitiveness.

I also want to remind you that every agency involved in this initiative has been asked by the President to perform a cost/benefit analysis for each major rule. These should be submitted in a timely fashion to allow review prior to the issuance of new regulations.

Thank you for cooperating on this important initiative.

AMERICAN OVERSIGHT
FOIA # 60048 (URTS 16455) DocId: 70106658 Page 25
NARA-18-1003-A-004346

DEPARTMENT OF JUSTICE
EXECUTIVE SECRETARIAT CONTROL DATA SHEET

From: BUSH, GEORGE, PRESIDENT OF THE UNITED STATES
To: HEADS OF CERTAIN DEPTS & AGENCIES (AG.) ODD: NONE
Date Received: 07-27-92 Date Due: NONE Control #: X92072711183
Subject & Date
07-23-92 MEMO REGARDING THE NATIONAL TREE PLANTING PROGRAM, A COMPONENT OF THE AMERICA THE BEAUTIFUL INITIATIVE, WHICH CALLS FOR PUBLIC/PRIVATE PARTNERSHIPS THROUGHOUT THE NATION. ADVISES THAT OUR GOAL IS TO PLANT AND MAINTAIN AN ADDITIONAL ONE BILLION TREES PER YEAR THROUGH THE YEAR 2000 AND THAT FEDERAL AGENCY LEADERSHIP WILL CONTRIBUTE GREATLY TO THIS GOAL. URGES THE AG TO ENERGETICALLY SUPPORT THE COORDINATING COMMITTEE FOR TREE PLANTING ACTIVITIES IN DOJ *

Referred To:	Date:		Referred To:	Date:	
(1) JMD;FLICKINGER	07-27-92	(5)			W/IN:
(2)		(6)			
(3)		(7)			PRTY:
(4)		(8)			1
INTERIM BY:		DATE:			OPR:
Sig. For: JMD		Date Released:			EHZ

23 July 92

Remarks
* NATIONWIDE.
(SEE EXEC. SEC. 92020501898 CONTROL SHEET ATTACHED.)
.
INFO CC: OAG, DAG, ASG, ENR.
(1) FOR APPROPRIATE HANDLING. ADVISE EXEC. SEC. OF ANY ACTION TAKEN.

Other Remarks:

OLA CONTACT:

FILE: PRESIDENTIAL/CORRESPONDENCE
J920727 2984

REMOVE THIS CONTROL SHEET PRIOR TO FILING AND DISPOSE OF APPROPRIATELY
****

AMERICAN OVERSIGHT

THE WHITE HOUSE

WASHINGTON

July 23, 1992

RECEIVED
DEPARTMENT OF JUSTICE

'93 JUL 27 A11:23

EXECUTIVE SECRETARIAT

MEMORANDUM FOR THE HEADS OF CERTAIN DEPARTMENTS AND AGENCIES

SUBJECT: President's Tree Planting Initiative

I am writing to remind you of this Administration's continuing commitment to increase tree planting across America. The national tree planting program, a component of the America the Beautiful initiative, calls for public/private partnerships involving communities and volunteers throughout the Nation. Our goal is to plant and maintain in our cities and countryside an additional one billion trees per year through the year 2000. This is an ambitious goal that will significantly enhance the environment and boost economic activity. Federal agency leadership will contribute greatly to the achievement of this goal.

During this last year, a representative of your organization has been asked to participate in a coordinating committee to promote, inform, and participate in tree planting activities in your agency nationwide. I urge you to energetically support the committee and its activities in order to ensure that the Federal Government does its part for tree planting.

Americans are enthusiastically joining this effort. Urban tree planting increased by 25 percent last year. In rural America, our cost-sharing program with private nonindustrial private landowners is now underway and should result in the planting of an additional 200 million trees this year -- a 10 percent increase over past years but a long way from our goal due to insufficient funding from the Congress.

My FY 1993 budget seeks to double the level of funding for the tree planting initiative to $138 million. Reforestation remains a cornerstone of my commitment to protecting and enhancing America's natural resources and environment in a way that is consistent with our efforts to promote economic growth.

On June 1, at the United Nations Conference on Environment and Development in Rio de Janeiro, I announced the Forests for the Future Initiative to conserve and sustain the Earth's forests. Appropriate models for worldwide commitment and action to save the forests may well stem from the public/private partnerships developed in your agency. With your help, we can reach our goal.

GB

AMERICAN OVERSIGHT

FOIA # 60048 (URTS 16455) Doc Id: 30106658 Page 27

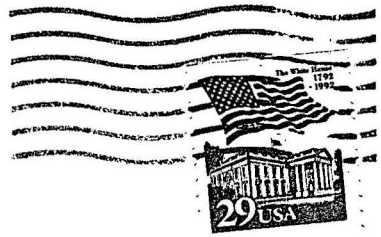
NARA-18-1003-A-004348

THE SECRETARY OF STATE
THE SECRETARY OF THE TREASURY
THE SECRETARY OF DEFENSE
THE SECRETARY OF THE ARMY
THE ACTING SECRETARY OF THE NAVY
THE SECRETARY OF THE AIR FORCE
THE ATTORNEY GENERAL
THE SECRETARY OF THE INTERIOR
THE SECRETARY OF AGRICULTURE
THE SECRETARY OF COMMERCE
THE SECRETARY OF LABOR
THE SECRETARY OF HEALTH AND HUMAN SERVICES
THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT
THE SECRETARY OF TRANSPORTATION
THE SECRETARY OF ENERGY
THE SECRETARY OF EDUCATION
THE SECRETARY OF VETERANS AFFAIRS
THE ADMINISTRATOR OF THE ENVIRONMENTAL
PROTECTION AGENCY
THE ADMINISTRATOR OF GENERAL SERVICES
THE ADMINISTRATOR OF THE NATIONAL AERONAUTICS
AND SPACE ADMINISTRATION
THE ADMINISTRATOR OF THE SMALL BUSINESS
ADMINISTRATION
THE DIRECTOR OF THE UNITED STATES INFORMATION AGENCY
THE CHAIRMAN OF THE POSTAL RATE COMMISSION
THE DIRECTOR OF THE INSTITUTE OF MUSEUM SERVICES
THE CHAIRMAN OF THE COUNCIL ON ENVIRONMENTAL QUALITY
THE ACTING DIRECTOR OF THE OFFICE OF POLICY
DEVELOPMENT
THE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET
THE DIRECTOR OF THE OFFICE OF SCIENCE
AND TECHNOLOGY POLICY

AMERICAN OVERSIGHT

THE WHITE HOUSE
WASHINGTON

WASHINGTON, DC 200
PM
23 JUL
1992



The Honorable William P. Barr
Attorney General
Washington, D.C. 20530

24 JUL 1992

FOIA # 60048 (URTS 16455) DocId: 70106658 Page 29

AMERICAN OVERSIGHT

NARA-18-1003-A-004350

DEPARTMENT OF JUSTICE
EXECUTIVE SECRETARIAT CONTROL DATA SHEET

From: BUSH, GEORGE, PRESIDENT OF THE UNITED STATES
To: HEADS OF AGENCIES AND DEPTS. (DAG) ODD: NONE
Date Received: 07-02-92 Date Due: NONE Control #: X92070210055
Subject & Date
07-01-92 MEMO REGARDING THE ATLANTA PROJECT, AN INITIATIVE OF FORMER PRESIDENT CARTER, THE CARTER CENTER, AND ATLANTA's RESIDENTS TO ADDRESS THE PROBLEMS OF THE POOREST FAMILIES IN ATLANTA. THE PRESIDENT REQUESTS THAT THE REGIONAL OFFICES THAT SERVE ATLANTA BE INSTRUCTED TO GIVE THEIR FULL SUPPORT TO IMPROVING GOVERNMENT EFFICIENCY AND EFFECTIVENESS WHILE COOPERATING WITH THE ATLANTA PROJECT AND INITIATIVES IN OTHER CITIES THAT SEEK FEDERAL COOPERATION. FURTHER **

Referred To:	Date:		Referred To:	Date:	
(1) DAG;TERWILLIGE	07-02-92	(5)			W/IN:
(2)		(6)			
(3)		(7)			PRTY:
(4)		(8)			1
INTERIM BY:			DATE:		OPR:
Sig. For: DAG			Date Released:		EHZ

Remarks
** GUIDANCE IN THIS MATTER WILL COME FROM THE COUNSELLOR TO THE PRESIDENT FOR DOMESTIC POLICY.
(NOTE: ENVELOPE ADDRESSED TO AG.)
.
INFO CC: OAG, ASG.
(1) FOR APPROPRIATE HANDLING. ADVISE EXEC. SEC. OF ACTION TAKEN.

Other Remarks:
07-14-92: PER ODAG/REINHARDT, COPIES OF MEMO SENT TO HEADS OF DOJ COMPONENTS BY EXEC. SEC. (EHZ)
07-21-92 OPA/LOVE REQUESTED COPY. BJ

OLA CONTACT:
7/6/92 MKS GAVE TO TTR
FILE: PRESIDENTIAL/CORRESPONDENCE

REMOVE THIS CONTROL SHEET PRIOR TO FILING AND DISPOSE OF APPROPRIATELY
****

1 July 92

AMERICAN OVERSIGHT

THE WHITE HOUSE

WASHINGTON

July 1, 1992

RECEIVED
DEPARTMENT OF JUSTICE

'92 JUL -2 A11:09

EXECUTIVE SECRETARIAT

MEMORANDUM FOR THE SECRETARY OF AGRICULTURE
THE SECRETARY OF LABOR
THE SECRETARY OF HEALTH AND HUMAN SERVICES
THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT
THE SECRETARY OF EDUCATION
THE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET
THE DIRECTOR OF THE OFFICE OF PERSONNEL MANAGEMENT
THE DEPUTY ATTORNEY GENERAL

SUBJECT: The Atlanta Project Directive

As you know, I am committed to reforming the Federal Government so that it provides its services as effectively and efficiently as possible. An indication of this commitment is our effort to increase flexibility that furthers education reform and the granting of welfare waivers to certain States.

Individual cities and States can help the Nation better understand how Federal, State, and local governments can work together to solve social problems. As you know, I met with former President Carter to discuss the Atlanta Project, an initiative of the former President, the Carter Center, and Atlanta's residents to address the problems of the poorest families in Atlanta. At that meeting, I indicated support for the meeting you attended with former President Carter to discuss the Atlanta Project.

I am directing that you instruct your regional offices that serve Atlanta to give their full support to improving government efficiency and effectiveness while cooperating with the Atlanta Project and initiatives in other cities that seek Federal cooperation. This means: (1) to use flexibility in decisions the regional offices are capable of rendering at the local level

AMERICAN OVERSIGHT

to ensure efficient and effective coordination in the delivery of services; (2) to coordinate among regional offices to reach decisions that would improve the efficiency and effectiveness of government service delivery; and (3) to expeditiously relay to respective department and agency heads and the White House decisions that require higher level review.

Further guidance about the process of coordination within the executive branch will come from the Counsellor to the President for Domestic Policy.



AMERICAN OVERSIGHT

DEPARTMENT OF JUSTICE
EXECUTIVE SECRETARIAT CONTROL DATA SHEET

From: BUSH, GEORGE, PRESIDENT OF THE UNITED STATES
To: HEADS OF EXEC. DEPTS. & AGENCIES (AG.) ODD: 06-24-92
Date Received: 06-17-92 Date Due: 07-24-92 Control #: X92061709237
Subject & Date
06-16-92 MEMO ADVISING THAT SECRETARY OF EDUCATION LAMAR ALEXANDER AND ADMINISTRATOR OF THE SMALL BUSINESS ADMINISTRATION PATRICIA F. SAIKI HAVE AGREED TO SERVE AS CO-CHAIRS OF THE 1992 COMBINED FEDERAL CAMPAIGN (CFC) OF THE NATIONAL CAPITAL AREA. ASKS THAT AGENCY HEADS SUPPORT ADMINISTRATOR SAIKI AND SECRETARY ALEXANDER BY PERSONALLY CHAIRING THE CAMPAIGN IN THEIR AGENCY AND APPOINTING A TOP OFFICIAL AS THE VICE CHAIRMAN.

	Referred To:	Date:		Referred To:	Date:	
(1)	JMD;FLICKINGER	06-17-92	(5)			W/IN:
(2)	ASG;BUDD	07-20-92	(6)			
(3)	OAG;	07-21-92	(7)			PRTY:
(4)	JMD;FLICKINGER	07-27-92	(8)			1
	INTERIM BY:			DATE:		OPR:
	Sig. For: AG.			Date Released:	07-27-92	MAU

16 JUNE 92

Remarks
INFO CC: OAG, DAG, ASG.
(1) FOR APPROPRIATE HANDLING. ADVISE EXEC. SEC. OF ACTION TAKEN.
(2) W/MEMO FROM AAG/FLICKINGER TO THE AG DATED 07-20-92 ATTACHING LETTERS TO SECRETARY ALEXANDER AND MRS. PATRICIA SAIKI, CO-CHAIRS OF THE CFC, FOR AG SIG.; THRU ASG FOR CONCURRENCE; CC TO DAG. NOTE SHORT DUE DATE.MAU

Other Remarks:
(3) ASG CONCURRED ON 07-20-92; FOR AG SIGNATURE.
NOTE: JMD REQUESTS SIGNATURE BY 07-24-92. (MAU)
(4) AG SIGNED LETTERS DATED 07-24-92 BY OAG. ORIGINALS HANDCARRIRD TO JMD FOR HANDLING ON 07-27-92. (TJ)

OLA CONTACT:
6/18/92 TO KMM
FILE: PRESIDENTIAL/CORRESPONDENCE, AG CHRON
J920617 2386

CROSS REFERENCES:
1. PERSONNEL/Combined Federal Campaign

REMOVE THIS CONTROL SHEET PRIOR TO FILING AND DISPOSE OF APPROPRIATELY
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AMERICAN OVERSIGHT

ACTION MEMORANDUM

RECEIVED
DEPARTMENT OF JUSTICE
'92 JUL 20 P12:10
EXECUTIVE SECRETARIAT

ATTORNEY GENERAL/DEPUTY ATTORNEY GENERAL/ASSOCIATE ATTORNEY GENERAL

Subject

Co-Chairs of the 1992 Combined Federal Campaign

Date

JUL 20 1992

TO: William P. Barr
Attorney General

FROM: Harry H. Flickinger
Assistant Attorney General
for Administration

Summary: President Bush has appointed Co-Chairs for the 1992 Combined Federal Campaign. The letters to the Co-Chairs show your support for the Campaign and inform them of the appointment of Wayne A. Budd, Associate Attorney General, as the Department's Vice Chairman.

Action Required: Your signature on the letters to Secretary Alexander and Mrs. Patricia Saiki, who are Co-Chairs of the Combined Federal Campaign.

Due Date/Action Forcing Event: July 24, 1992 -- This will enable us to plan, schedule, and implement program requirements.

DOJ Coordination: Division/Component and Views (attach comments if other than concurrence).

No internal coordination.

Concurrences:

	DAG	ASG	OLC	OPD	OLA	POA	JMD	MARCY
Initials			x	x	x	x	x	
Date		7/20						

External Coordination: Agency and Views (attach comments if other than concurrence).

No external coordination.

Contact Point for Additional Information: John C. Vail, Director, Personnel Staff, on 514-6788

AMERICAN OVERSIGHT
FOIA # 60048 (URTS 16455) DocId: 70106658 Page 34
NARA-18-1003-A-004355

THE WHITE HOUSE

WASHINGTON

June 16, 1992

RECEIVED
DEPARTMENT OF JUSTICE
'92 JUN 17 A10:50
EXECUTIVE SECRETARIAT

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

The Combined Federal Campaign is an avenue through which thousands of Federal employees voluntarily express their concern for others.

I am delighted to inform you that Secretary of Education Lamar Alexander and Administrator of the Small Business Administration Patricia F. Saiki have agreed to serve as co-chairs of the 1992 Combined Federal Campaign of the National Capital Area. I ask that you support Administrator Saiki and Secretary Alexander by personally chairing the campaign in your agency and appointing a top official as your vice chairman.

Your commitment and visible support will help to guarantee a successful campaign this year. Together, we must do everything we can to encourage Federal employees everywhere to do their part in support of the 1992 Combined Federal Campaign.

AMERICAN OVERSIGHT
FOIA # 60048 (URTS 16455) DocId: 70106658 Page 35
NARA-18-1003-A-004356

Office of the Attorney General
Washington, D. C. 20530

July 24, 1992

Honorable Lamar Alexander
Secretary of Education
Washington, D.C. 20202

Dear Mr. Secretary:

In response to a recent memorandum from President Bush, I am pleased to inform you that I will serve as the Combined Federal Campaign Chairman for the Department of Justice. I have appointed Wayne A. Budd, Associate Attorney General, to serve as my Vice Chairman.

You may be assured that we will be actively involved in the Campaign and will work with you to make the 1992 Campaign a most successful one.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

William P. Barr
Attorney General

AMERICAN OVERSIGHT

Office of the Attorney General
Washington, D. C. 20530

July 24, 1992

The Honorable Patricia Saiki
Administrator
Small Business Administration
Washington, D.C. 20416

Dear Mrs. Saiki:

In response to a recent memorandum from President Bush, I am pleased to inform you that I will serve as the Combined Federal Campaign Chairman for the Department of Justice. I have appointed Wayne A. Budd, Associate Attorney General, to serve as my Vice Chairman.

You may be assured that we will be actively involved in the Campaign and will work with you to make the 1992 Campaign a most successful one.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Bill

William P. Barr
Attorney General

AMERICAN OVERSIGHT

DEPARTMENT OF JUSTICE
EXECUTIVE SECRETARIAT CONTROL DATA SHEET

From: BUSH, GEORGE, PRESIDENT OF THE UNITED STATES
To: SEC. OF STATE & U.S. COORD./REFUGEE AFFAIRS (CC: AG.) NONE
Date Received: 06-09-92 Date Due: NONE Control #: X92060908852
Subject & Date
06-08-92 MEMO (COPY) ADVISING THAT, IN ACCORDANCE WITH SECTION 207 OF THE IMMIGRATION AND NATIONALITY ACT (8 U.S.C. 1157), THE SECRETARY OF STATE AND THE U.S. COORDINATOR FOR REFUGEE AFFAIRS ARE AUTHORIZED TO CONSULT WITH THE APPROPRIATE COMMITTEES OF THE CONGRESS CONCERNING REFUGEE ADMISSIONS AS DETAILED IN MEMO.

	Referred To:	Date:		Referred To:	Date:	
(1)	OAG;	06-09-92	(5)			W/IN:
(2)			(6)			
(3)			(7)			PRTY:
(4)			(8)			1
	INTERIM BY:			DATE:		OPR:
	Sig. For: NONE			Date Released:		MAU

Remarks
INFO CC: DAG, INS, OIP.
(1) FOR INFORMATION.

Other Remarks:

RJF 6/9/92
FILE: PRESIDENTIAL/CORRESPONDENCE
I920609 764

REMOVE THIS CONTROL SHEET PRIOR TO FILING AND DISPOSE OF APPROPRIATELY
****

AMERICAN OVERSIGHT

THE WHITE HOUSE

WASHINGTON

RECEIVED
DEPARTMENT OF JUSTICE
'92 JUN -9 A11:02
EXECUTIVE SECRETARIAT

June 8, 1992

MEMORANDUM FOR THE SECRETARY OF STATE
THE UNITED STATES COORDINATOR
FOR REFUGEE AFFAIRS

SUBJECT: FY 1993 Refugee Admissions Consultations

In accordance with section 207 of the Immigration and Nationality Act (8 U.S.C. 1157), you are authorized to consult with the appropriate committees of the Congress concerning refugee admissions as follows:

1. The authorization of 132,000 refugee admissions during FY 1993. This would include 122,000 funded admissions that would be allocated by specific regions as follows: 7,000 for Africa; 52,000 for East Asia (including Amerasians); 1,500 for Eastern Europe; 3,500 for Latin America and the Caribbean; 7,000 for the Near East and South Asia; 50,000 for the former Soviet Union; and 1,000 unallocated reserve. The recommended level of funded admissions is equal to the level assumed in the FY 1993 budget request.

Ten thousand private sector admission numbers also would be authorized for any region to be used only to the extent that private funding is available to cover the reasonable costs for the admissions and resettlement of refugees using such numbers.

2. The authorization of an additional 10,000 refugee admission numbers to be made available for the adjustment to permanent resident status of refugees who have been granted asylum in the United States.

3. The designation, pursuant to section 101(a)(42)(B) of the Immigration and Nationality Act (INA) (8 U.S.C. 1101(a)(42)(B)), of persons in Cuba, El Salvador, Guatemala, Haiti, Vietnam, and the former Soviet Union who, if they otherwise qualify for admission as refugees, may be considered refugees under the INA even though they are still within their country of nationality or habitual residence.

cc: The Attorney General
The Secretary of Health and Human Services

AMERICAN OVERSIGHT
FOIA # 60048 (URTS 16455) Docid: 70106658 Page 39
NARA-18-1003-A-004360

DEPARTMENT OF JUSTICE
EXECUTIVE SECRETARIAT CONTROL DATA SHEET

From: BUSH, GEORGE, PRESIDENT OF THE U.S.
To: AG. ODD: NONE
Date Received: 06-03-92 Date Due: NONE Control #: X92060308520
Subject & Date
06-02-92 NOTE (TRANSMITTED WITH MEMO FROM EDE HOLIDAY, ASSISTANT TO THE PRESIDENT, DATED 06-02-92) ATTACHING A COPY OF THE PUBLICATION "GANGS, CRIME AND VIOLENCE IN LOS ANGELES." THIS CONSISTS OF FINDINGS AND PROPOSALS FROM THE DISTRICT ATTORNEY'S OFFICE.

	Referred To:	Date:		Referred To:	Date:	
(1)	OAG;	06-03-92	(5)			W/IN:
(2)			(6)			
(3)			(7)			PRTY:
(4)			(8)			1
	INTERIM BY:			DATE:		OPR:
	Sig. For: NONE			Date Released:		EHZ

Remarks
INFO CC: ASG.
(1) FOR INFORMATION.

2 JUN 92

Other Remarks:

FILE: PRESIDENTIAL/CORRESPONDENCE

REMOVE THIS CONTROL SHEET PRIOR TO FILING AND DISPOSE OF APPROPRIATELY
****

AMERICAN OVERSIGHT

THE WHITE HOUSE

WASHINGTON

June 2, 1992

MEMORANDUM FOR ATTORNEY GENERAL BARR

FROM: EDE HOLIDAY
ASSISTANT TO THE PRESIDENT
AND SECRETARY OF THE CABINET

Please see the attached note from the President.

Attachment

AMERICAN OVERSIGHT

NARA-18-1003-A-004362

THE WHITE HOUSE
WASHINGTON

RECEIVED
DEPARTMENT OF JUSTICE
'92 JUN -3 A10:31
EXECUTIVE SECRETARIAT

DATE: June 2, 1992

FROM THE PRESIDENT

TO: Bill Barr

This was handed to me while I was in LA last week. I am sure you folks already have it, but I am passing it along in case you haven't seen it.

AMERICAN OVERSIGHT
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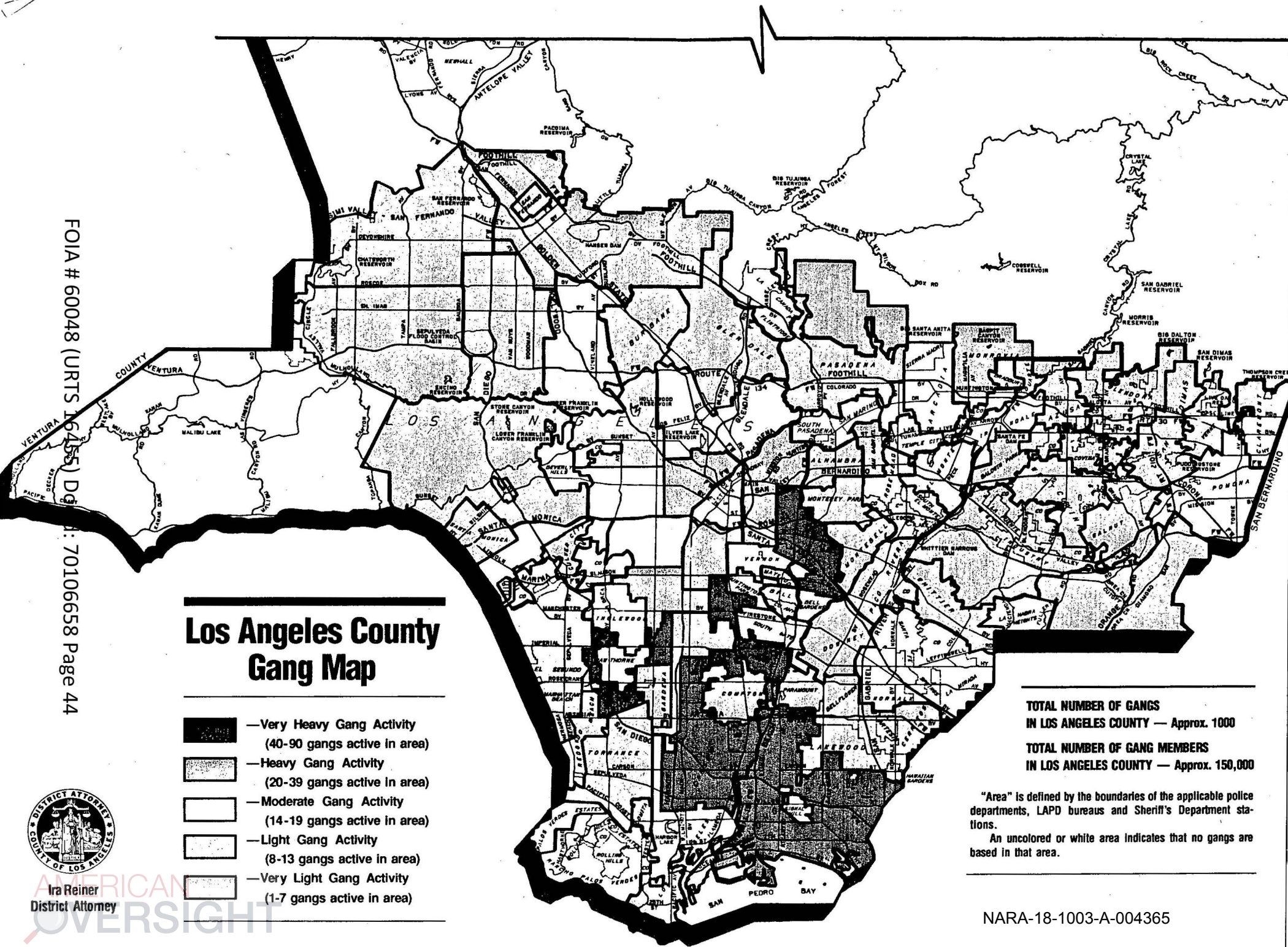
GANGS, CRIME AND VIOLENCE IN LOS ANGELES

Findings and Proposals
from the
District Attorney's Office

Ira Reiner
District Attorney

Published by the Office of the District Attorney
County of Los Angeles
May, 1992

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GANGS, CRIME AND VIOLENCE IN LOS ANGELES

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FOREWORD

In the summer of 1991, I ordered a thorough internal review of gang policy within the District Attorney's Office. This office had built an exemplary record in prosecuting gang-related crimes. Yet despite our best efforts, and despite the hard work of countless law enforcement professionals throughout L.A. County, gang violence was growing steadily worse. I thought it was time for a fresh look at every aspect of our response to gangs.

As we began the process of internal review, it quickly became obvious that staring exclusively at our own piece of the puzzle made little sense. The only way to deal with a huge problem like gangs was to step back, ignore agency lines, and look at the big picture. With that goal in mind, I authorized a substantial expansion in the scope of this project. In addition to providing guidance for the District Attorney's Office, we set out to compile a document that would be useful to all agencies and governing bodies concerned with gangs in L.A. County -- a comprehensive report on gangs in Los Angeles, and on public responses past, present and future.

More than three dozen local gang experts were interviewed for this report, including not only gang enforcement officers, but academic researchers, prevention workers, and ex-gang members. In addition, an extensive body of written material was reviewed and summarized -- ranging from detailed sociological studies, to police reports, to anecdotal accounts of gang life on the streets of L.A. Sources have been cited wherever possible in the main body of the report. However, in order to assure candor during interviews, persons offering opinions on controversial topics have sometimes been identified by profession rather than by name. In other cases, where opinions were widely shared, no individual attribution has been made.

I wish to express my appreciation to Fred Register, Special Assistant to the D.A, and to Michael Genelin, Chief of the D.A.'s Hardcore Division, for spearheading this project. My thanks also to law student Ken White, who played an invaluable role in the interview process, and to the men and women of the Hardcore Division who helped review and edit the extensive manuscript. Finally, this project would not have been possible without the cooperation of a host of talented, dedicated individuals who have devoted their professional lives to understanding gang life, rescuing young people from gang temptations, and protecting each of us from gang violence.

Ira Reiner
May 1, 1992

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OVERVIEW OF CONCLUSIONS AND RECOMMENDATIONS BY DISTRICT ATTORNEY IRA REINER

Gangs are deeply rooted institutions in Los Angeles. Some are 50 or 60 years old; and their numbers, influence and propensity to violence are all on the rise. Indeed, it scarcely seems possible to exaggerate the impact of gangs in Los Angeles. Yet national media often manage to do so. Differences in reporting crime statistics tend to overstate gang crime in Los Angeles and understate it elsewhere.

-- In 1991, gang homicides accounted for just over 36% of all murders in Los Angeles, compared to 14% in Chicago which is generally thought to have the nation's second most serious gang problem. However, had Chicago's narrower, gang-motivated definition been used here, the gang proportion of L.A. murders might have dropped as "low" as 20%.

Gang Violence: By every measure, gang violence in Los Angeles is the worst in the country and spiralling upward with no end in sight. Even before the tragic riots sparked by the Rodney King verdict, huge stretches of the city and county were little more than war zones.

-- The current era of gang violence is the worst in county history. Gang homicides hit a record high of 771 in 1991 -- approximately 8.5 gang homicides per 100,000 residents. That compares to five killings per 100,000 residents in 1980, the peak of the worst previous cycle of gang violence.

-- Gangs have been responsible for virtually all growth in homicides since 1984. Adjusted for population growth, non-gang murders in L.A. County actually declined over the last six years; gang-related murders exploded by more than 200%.

Crime Trends: Gang violence seems to be feeding on itself in an escalating chain of trespass and retaliation. More plentiful and more powerful weapons have made the situation much worse. So have turf rivalries between established gangs and new gangs founded by recent immigrants.

-- Half of all gang members participate in violence -- though minor or isolated in most cases. This is a much higher rate (by a factor of four) than for nongang members. There are also twice as many <u>frequent</u> violent offenders among gang members.

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-- Black gang violence is down in recent years. The Sheriff reported a 29% decrease in Black-on-Black gang killings in 1990. L.A.P.D. reports that the share of killings attributed to Black gangs, which was 51% as recently as 1988, fell to 32% in 1990.

-- Latino gang violence is up -- by 96% increase last year in the Sheriff's jurisdiction; and by a smaller, but still enormous percentage in the City of L.A.

-- Law enforcement authorities believe that Asian gang violence is growing rapidly, but there is no statistical evidence to support that belief.

-- The killing of innocent bystanders is a serious and growing problem. Even so, no more than a quarter of all victims of gang homicides, and possibly as few as 10%, appear to be innocent bystanders.

Gangs and Drugs: Gang members are heavy drug users and even heavier drug sellers, yet drugs and gangs are not two halves of the same phenomenon. Though they threaten many of the same neighborhoods, and involve some of the same people, gangs and drugs must be treated as separate evils.

-- Over 70% of gang members use drugs, usually about once a week. Total incidence of drug use among gang members is roughly four times greater than among non-gang youths.

-- The incidence of drug sales among gang members is seven times higher than among non-gang youths; but most gang members are not drug dealers in any meaningful sense of the word. Only one in seven sells as often as 12 times a year.

-- Younger gang members (the vast majority) continue to focus primarily on ferocious inter-gang rivalries; drugs are a secondary concern, seen mainly as a source of part-time employment.

-- The pattern is different for older members of Black gangs, many of whom are disengaging from traditional activities to pursue careers in low-to-mid-level drug trafficking. This trend is accelerated by the growing scarcity of legitimate jobs for poorly educated minority males in the 18-21 age range -- the critical age for exiting gangs.

-- Nevertheless, local experts agree that, with a few notorious exceptions, most L.A. gangs are not being transformed into organized drug distribution rings.

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Many individual gang members (and former members) are involved with drugs, but drugs remain peripheral to the purposes and activities of the gang.

Gang Numbers: The number of gangs active in Los Angeles County is far higher than generally believed -- approximately 1,000 gangs with 150,000 members. These are mostly young men, and each one is a mini-crime-wave waiting to happen. The average gang member is responsible for six times more crime per year than a non-gang youth of similar age and background.

-- Some 800 gangs in L.A. County (out of roughly 1,000) have members who have been charged with major criminal activity.

-- Of the 150,000 gang members active in greater Los Angeles, only 125-130,000 show up in law enforcement gang databases.

Ethnic Breakdown of Gang Membership: Some of the most troubling data to emerge from this study concern the extraordinary percentage of young Black males who show up in gang databases. The police have identified almost half of all Black men in Los Angeles County between the ages of 21 and 24 as gang members. That number is so far out of line with other ethnic groups that a careful, professional examination is needed to determine whether police procedures may be systematically over-identifying Black youths as gang members.

-- In addition to 47% of Black youths, GREAT documents the following rates of gang participation: 0.5% of Anglo youths; 6-7% of Asian youths; 9-10% of Latino youths.

-- Ethnic differences among female gang members are less pronounced, largely because so few women belong to gangs. Young men are twelve times more likely to join than young women -- just over 0.75% of women aged 21-24 have gang records on file, compared to more than 9.5% of men that age.

The Need for More Police: The police are the first line of response to gang violence, and Los Angeles is under-policed compared to other major cities. The city need reinforcements on the street, with additional officers used to implement community based policing, to strengthen gang enforcement, or both.

-- In 1986 Los Angeles had the lowest ratio of sworn officers per resident among the nation's six largest cities. L.A.P.D. currently has roughly 2.3 officers per 1,000 residents and L.A.S.D. has 3.6. Even the Sheriff's ratio is lower than cities like Chicago, Detroit and Philadelphia.

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-- The City of L.A. would need 400 additional gang officers just to match the level of gang enforcement in Chicago -- plus a higher ratio of street cops.

-- Community-based policing has great potential for fighting gangs; but it will not work if done on the cheap. Without additional personnel, community based policing will degrade already inadequate response times.

Differences in Gang Enforcement Between L.A.P.D. and L.A.S.D.: L.A.P.D.'s gang operations are highly decentralized and the department is perceived to take a purposefully confrontational approach to gangs. L.A.S.D.'s gang operations, which are under one command, are perceived to be less confrontational and more concerned with building community relations. Not surprisingly, there are big differences in gang crime between communities served by L.A.S.D. and those served by L.A.P.D.

-- In every year since 1980, L.A. City (which has 39.3% of the county's population) has accounted for more than its share of county gang homicides -- an average of just over 53% of the total.

-- Since 1980, the Sheriff's jurisdiction (which has 25.3% of the county's populations) has usually accounted for slightly less than its share of gang homicides -- an average of 23-24% of the total.

-- Patterns for other gang-related crimes are quite different, however. Overall, there is no evidence that one department is more effective than the other at preventing gang crime, especially considering the Sheriff's much higher staffing ratio.

-- In addition to the changes in style recommended by the Christopher Commission, the new Chief of Police should consider the possibility of uniting L.A.P.D.'s gang operations under a single command.

Improving Law Enforcement Gang Databases: Contrary to popular belief, there is currently no single gang database for L.A. County. The GREAT database does not yet include the bulk of the data in L.A.P.D.'s Gang Tracking System. Some smaller jurisdictions do not participate in GREAT at all for financial reasons.

-- Los Angeles would be better served if the Sheriff and the L.A.P.D. used fully-compatible and fully-connected gang databases instead of completely separate systems.

-- Procedures for reviewing and entering data should be standardized to control who gets into the two systems.

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-- County officials should exert pressure to make the terms and conditions of probation and parole for hardcore gang members available for inclusion in GREAT.

-- L.A.S.O. and L.A.P.D. should assign crime analysts to assess their gang databases for trends and useful information.

Targeting Hardcore Gang Members: Young men who have progressed to the hardcore stage of gang membership are essentially beyond redemption. They must be dealt with through the criminal justice system, and that system should be overhauled to target its gang enforcement efforts on this high-crime group.

-- The GREAT/GTS databases should be augmented to facilitate identification and tracking of hardcore gang members -- perhaps 10-15% of the total gang population.

-- Gang investigators and prosecutors should join forces to ensure that every crime committed by targeted hardcore gang members results in a maximum sentence.

-- Local and federal law enforcement should jointly target the worst 10% of hardcore gang offenders in L.A. County -- the "core of the hardcore;" approximately 2,000 gang members -- for active investigation and prosecution.

-- Probation's range of responses should be coordinated with a county-wide focus on hardcore gang members.

-- Additional prosecutors should be assigned to Hardcore to permit the division to perform three basic missions:

- Continued prosecution of all gang-related homicides;
- Prosecution of all non-federal felony cases developed from the joint target list of worst gang offenders;
- Providing training and assistance to investigators and prosecutors handling hardcore gang cases.

Building on Past Successes: Los Angeles institutionalized a number of responses to gangs during the last great gang crisis in 1979-80. Because gang violence declined as those programs were implemented, the sense of urgency passed and funding priorities moved on to other crises -- like the explosion in narcotics. When the new surge of gang violence began, the old programs could not keep pace. Most are now seriously overburdened -- unable to cope with the full range of gang cases they were originally designed to handle.

-- The D.A.'s Hardcore Division, to cite one example, has become a unit devoted exclusively to gang homicides. It has no spare capacity to prosecute other kinds of

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gang crime, no matter how serious.

-- L.A. County and City should build on past success by clearly defining the missions of their specialized gang units and funding them at levels that permit those missions to be performed.

-- The recommended missions for prosecutors and probation cannot be implemented unless police gang units also take on expanded missions that include:

- Refining and targeting the computer database;
- Thorough inter-agency cooperation;
- Focussing on hardcore gang members;
- Expanding street-level gang enforcement;
- Regular, independent evaluation.

-- The Interagency Gang Task Force (IAGTF) should sharpen its focus on the original goals of suppression without damaging its new emphasis on prevention.

-- An inter-agency forum, with an agenda limited to improving gang suppression, and membership limited to law enforcement, will be necessary if proposals like computerized targeting of hardcore gang members are to be implemented across agency lines. If the IAGTF is not an appropriate or workable forum, one should be developed through other channels.

Coordinating Gang Enforcement with Gang Prevention in Target Areas: A consensus is building within the gang prevention community that multiple, coordinated efforts within target areas are the key to successful prevention. A major goal of county gang enforcement should be to develop a comparable and compatible strategy for gang suppression in target areas. There is strong evidence that such an approach can be highly successful in the short term. The challenge is to fashion a long-term response.

-- Any target area suppression strategy should be used only in coordination with effective local prevention efforts.

-- The IAGTF could play the lead role in implementing a combined prevention/suppression strategy -- especially if it reorganized along sub-regional lines.

Improving Opportunities for Education and Employment: Experts in gang prevention believe that opportunity is the key to any effective strategy.

-- As a city of immigrants, with all the attendant consequences for gang activity, Los Angeles must be

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especially cognizant of issues involving opportunity.

-- Improving the public schools is by far the most significant long-term anti-gang strategy that Los Angeles can pursue.

-- Experimenting with schools designed to better serve the needs of low-income, minority neighborhoods can have powerful side benefits in reducing gang membership.

-- Gang prevention policy in Los Angeles County should include a strong emphasis on employment programs.

Reforming the Juvenile Justice System: It is easy, indeed, normal, for young people to commit multiple low-grade crimes before any meaningful punishment befalls them. This is the opposite of effective gang prevention. At the age when intervention is easiest, children get a consistent message that their actions carry no consequences, tempting them to ever more delinquent behavior. By the time the system gets serious, kids are much harder to reach and many are hopelessly committed to destructive lifestyles.

-- L.A. County should invest in providing appropriate help and deterrence at the front end of the juvenile justice system.

-- L.A. County and City should take a united and very public stand to urge the Legislature to reform the law on truancy and curfew -- and should develop a local blue-print for implementing reforms with or without legislative action.

-- Parental accountability and early intervention should be built into every aspect of the county's response to juvenile crime -- including gang prevention efforts.

Private Versus Public Gang Prevention Efforts: There is considerable controversy over the trend toward law-enforcement domination of gang-prevention efforts. But there have also been some successes.

-- Public officials should remain open to the possibility that gang prevention activities might be better handled through community-based organizations than through law enforcement.

-- Both public and community-based agencies should be allowed to compete for roles in public prevention efforts.

-- As time and resources permit, volunteers from law

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enforcement -- including the District Attorney's Office -- should be encouraged to join community prevention efforts.

Los Angeles Needs a Systematic, Sustained Program of Gang Prevention: Current prevention policy is short-term, reactive and self-defeating. It moves in response to perceived crises, and typically involves shifting inadequate resources from hot-spot to hot-spot.

-- Los Angeles should follow the example of Denver and other communities by establishing a master plan for youth services that includes a strong, coordinated focus on at-risk youth.

-- However, Los Angeles cannot afford to wait for a youth services master plan to establish a systematic gang prevention effort.

-- Coordination of multiple private and public efforts is essential and should be a required element of all public grants or contracts for prevention.

-- Regular evaluations must be a part of any master strategy for gang prevention.

-- The outlines of an effective long-term, pro-active strategy for gang prevention in Los Angeles are clear. The City and County should commit themselves to developing such a strategy -- and to funding it; in stages, if necessary.

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EXECUTIVE SUMMARY

CHAPTER ONE: HISTORY AND ORIGINS OF GANGS IN LOS ANGELES

As the 20th century draws to a close, Los Angeles is generally acknowledged to have the worst street gang problem in the nation, if not the world. Entrenched though the image may be, L.A. has become synonymous with gangs only recently. Street gangs are both much older and much younger than Los Angeles.

Beginning with late 17th-century London, gangs have long been a feature of urbanizing and industrializing societies. Gang problems of one kind or another have been reported in most countries of Europe, and at least a dozen other countries from every populated continent. However, true street gangs of the kind now prevalent in Los Angeles are a uniquely American phenomenon.

At different moments in American history Chicago and Philadelphia have vied with New York for the title of street gang capital. Despite its recent, unwanted pre-eminence, Los Angeles is a relative newcomer to the competition.

Prior to World War II, gangs did not exist in Los Angeles in their modern form. The seeds of change were planted in the great economic expansion of the 1920's. Poor, rural Mexican immigrants brought with them a tradition of male coming-of-age groups which made an easy transition to parish-based "boy gangs" during the 20's and 30's. Around the time of World War II, something new and dangerous grew from these mild and familiar roots.

In a pattern that persists to this day, the young men who emerged as the first generation of gang members were drawn largely from the ranks of the *cholos* -- a class of immigrants whose cultural identity was caught between two worlds.

From a sociological perspective, the formation of these early gangs can be seen as an attempt by alienated youths to assert self-worth and group identity. The children of immigrants -- either born in the U.S. or brought here at very young ages -- began to claim their cholo status as a badge of pride.

There are many parallels between the origins of cholo gangs in the mid-to-late forties, and the rise of the Crips and Bloods a generation later. Like the earlier arrivals from Mexico, Black migrants after World War II came to urban, industrial Los Angeles from a rural, church-based society. Their children faced enormous cultural, social and economic cross-pressures.

By the end of the sixties, a generation of inner-city Black youths found themselves racially locked out of the dominant Anglo

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culture and economically locked out of the Black middle class. Their futures were as bleak as any cholo's, maybe bleaker.

At this critical juncture, the Vietnam War and the Watts Riots played roles similar to World War II and the Zoot suit riots a generation earlier -- they helped transform the way young Black men were viewed by the media, by the rest of society, and by themselves. Given the emasculating circumstances of ghetto life, the cocky, dangerous style of the Latino gangs had a strong appeal. It responded perfectly to the need for repackaging defeat as defiance, redefining exclusion as exclusivity.

Derivative Black gangs began to form in the late fifties, but the great transformation began in the mid-to-late 60's with the emergence of the first set of Crips. There are many stories about the origin of the word "crip," but it is generally believed to have been derived from "cripple." The first set, founded by one Raymond Washington, quickly spawned a host of imitators -- one of which adopted the cholo practice of wearing bandannas. The chosen color for this, and all other clothing, became blue.

Meanwhile, in reaction to the Crips, kids on Piru Street formed the first set of Bloods. The word "Blood," which originated from the concept of "blood brothers," suggested the color red. As the two gangs spread across the Black community, local disdain and hostility between Bloods and Crips quickly became generalized and lethal. Crips have heavily outnumbered Bloods from the beginning. This numerical advantage is partially offset by a higher level of internecine warfare among the Crips.

Black gangs imitated the graffiti of Latino gangs and picked up other customs as well -- like flying colors, defending turf, hanging with the homeboys, gang-banging, and "jumping in" new members. In less than a decade, gang culture in Los Angeles had a superficially homogeneous look and feel.

Inevitably, the omnipresence of gangs in poor, ethnic neighborhoods transformed the immigrant experience which had spawned gang culture in the first place. The local reception committee for immigrants today is very different than it was 45 or 70 years ago. Ethnic or linquistic outsiders risk the role of perpetual prey and are forced to band together for protection.

Powerful role models and intense pressure from existing gangs may explain why the two-generation cycle of gang formation among Black and Mexican immigrants has accelerated for recent arrivals. Founders of Salvadoran and Vietnamese gangs were born in the home country, perhaps arriving in Los Angeles in time for elementary school. Among whites, few street gangs have emerged, though there is no shortage of delinquents among Anglo youths.

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As the gang tradition has grown and multiplied in Los Angeles since World War II, gang violence has risen and fallen in long cycles. Many factors have contributed to the current surge which began in 1984-5 and has reached a frightening crescendo in the last three years. Experts attribute much of the violence to bloody turf battles between established Latino gangs and newly-formed gangs of first and second-generation immigrants.

Twentieth-century Los Angeles is similar in key respects to 17th century London and 19th century New York. Rapid growth brings a city enormous wealth and diversity. It also brings tremendous social dislocations -- including gangs.

No amount of searching will turn up quick or easy answers to these problems. But there is comfort in knowing that others have faced similar challenges before us -- and overcome them.

CHAPTER TWO: JOINING AND LEAVING GANGS

Who joins gangs? When, how and why? How and why do they leave? The answers to these questions must drive gang policy.

WHO JOINS GANGS:

CLASS -- Gang membership varies loosely with poverty and with degree of neighborhood social disorganization: Gangs are closely associated with poverty, but the linkage is far from perfect. Some researchers have argued that poverty alone does not breed problems like gangs, but poverty in combination with a broad range of social ills -- persistent unemployment, destruction of families, high rates of transience, a lack of strong local institutions, weak schools, drug and alcohol abuse, etc.

Although the social disorganization theory is difficult to prove, it fits neatly with the immigrant experience. As exposure to American culture undermines traditional values, second generation immigrants (and their neighborhoods) are cut loose from old cultural anchors long before they can tie up to new ones. The result is a perfect breeding ground for gangs.

Immigrant status may also explain some of the class discrepancies in gang membership. Most new residents are poorer than the rest of the population. But economic gains do not always resolve the conflicts and peer pressures pulling first- and second-generation youngsters toward gangs. Families often move from L.A. to escape the gang subculture, but upward mobility does not automatically extinguish it. As Riverside and San Bernardino counties will attest, it is easier to take the boy out of the 'hood than it is to take the 'hood out of the boy.

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GENDER -- Gangs are primarily a man's world, but women gang members come from even more troubled backgrounds than men: Of the 100,000+ gang members in the L.A. Sheriff's Department's computerized tracking system (GREAT), 6.4% are female. Most gang girls belong to auxiliaries to male gangs, some belong to mixed-sex gangs, and only a few belong to independent female gangs.

Female gang members are much less likely than males to participate in crimes like felony assault, robbery and theft. On the other hand, gang females are much more likely to commit such crimes than males (let alone females) who do not belong to gangs.

The future awaiting gang girls is bleak: 94% will have children, 84% will raise them without spouses; one-third will be arrested, and the vast majority will be dependent on welfare. The attraction of the gang is no mystery in the context of the isolation and poverty awaiting them. Most girls gradually leave the gang as adolescence ends -- because of the birth of a child, a relationship with a man, incarceration, drug addiction, etc.

AGE -- The mid-to-late teens and early '20's are the peak years of gang activity: The youngest gang members currently on record in the GREAT system are eight years old; the oldest are over sixty; 80% of those in the system are between the ages of 15-29. There is conflicting evidence on whether gang members are getting younger. Community-based youth workers, who tend to focus on prevention, say yes. Yet the median age in GREAT is a rather elderly 24; just 1% are under 15; more than 18% are 30 or older.

Each generation of gang members has produced a small number who remain active well into their 20's and 30's. Many form gang-oriented households, raising children virtually preselected for gang membership. Though rising rapidly, the number of such children is still fairly small. The GREAT system currently lists just seven youngsters between eight and ten.

Serious gang identification can begin as early as 2nd grade. However, gang membership usually begins in the pre-teen years or later. Despite reports in the press, there is no evidence that youngsters are routine participants in gang violence. The average age of shooters in gang homicides is around 20.

PERSONAL BACKGROUND -- Family and education are powerful influences on gang membership: Except, perhaps, for children born into gang households, family is not destiny. Gang members in Los Angeles tend to be raised in poorer homes, with more siblings, and facing the pressures of unemployment and welfare. Male role models, if they exist, are often transient. Parental neglect and abuse are often a part of family life. Difficult family conditions alone, however, do not explain gang membership. Many who face such conditions never join gangs. Others who experience relatively care-free childhoods do join.

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In general, parents have little influence in the lives of most gang members. But having a relative in a gang -- a cousin, brother or uncle, let alone a father -- is a sure sign of trouble. Half those who join Chicano gangs have at least one relative in a gang; a third have three or more.

Gang members tend to do poorly in school, but there are survey data which indicate that school is important to most gang members. Like many teenagers, gangs may value school more for its social structure than for its educational function.

WHY AND HOW DO YOUTHS JOIN GANGS?

If asked why they join, the great majority of gang members would probably cite motives like protection, parties, action, girls, money, love for the neighborhood, etc. Researchers, however, point to the classic, desperate needs of adolescence: an end to childhood; acceptance as an adult; sexual, social and economic identity; status and success; a sense of belonging.

Gangs traditions have been crafted by experts (prior generations of similarly situated youths) to satisfy precisely those needs which ache most powerfully in the souls of outcast adolescent males. Even rough physical initiations can meet important emotional needs. Like harsh coming-of-age rituals in many cultures, they may help boys raised in female-dominated households to resolve questions of gender identification.

Gangs can be aggressive in recruiting but often don't have to be. For many boys, joining is not about deciding, or being forced, to enter despite negative consequences. It is about seeking a way into the charmed circle. Most gangs probably engage in some form of active recruitment -- including threats. But usually, especially in areas where the gang tradition is well established, the interest is truly mutual. Popular culture and the media also play a role in gang recruitment.

Classically, new members were "jumped in" to a gang through a formal beating. That tradition is still alive, but membership can come in many ways. It is basically a matter of earning the respect and approval of one's elders -- of proving one's toughness and devotion to the gang and the 'hood, of building a "rep" (reputation). There are gangs in which shooting an "enemy" (as opposed to a random murder) is the only way to advance to higher levels, but "jumping in" rituals are far less extreme.

LEAVING THE GANG:

Virtually nothing is known about the process of leaving gangs except that it happens. Separation traditionally begins in earnest between the ages of 18 and 21 -- around the time a gang member's peers are graduating from high school, marrying, taking

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jobs, joining the military or otherwise moving into the adult world. Eighteen also marks a dividing line in the criminal justice system. Those who continue in a life of crime as adults face lengthier terms of confinement in less inviting facilities.

Despite social and legal pressures, more and more youths are failing to exit gangs at the traditional time. Availability of work is the key factor in getting out of a gang, but competition for unskilled work is growing and pay is shrinking. At best, gang members seeking work need strong personal motivation and the help of friends. At worst, nothing will avail.

A job need not be legal to permit an exit from the gang. Many young men drift away and enter a warped version of adulthood through drug dealing and other criminal "careers." Tragically, leaving the gang in this way is increasingly common.

Because the emphasis on loyalty is so strong, leaving a gang can be seen as betrayal. Traditionally, members were "jumped out" with the same kind of physical violence that jumped them in -- or worse. While this kind of formal exit does not appear to be common today, openly or abruptly leaving a gang remains a risky business. Ironically, those who have been most successful within the gang often face the greatest risk in leaving.

Counselors approached by gang members who want out give the same advice they give to youths trying to resist the pressure to join: Get a steady girlfriend, start a family, enroll in school, try out for a sports team, or get a job. While these activities are not encouraged by the gang ethos, they are all recognized as legitimate demands on a man's time. As such they can provide a graceful cover for gradually dropping out.

CHAPTER THREE: HOW GANGS WORK AND WHAT THEY DO

Structures built up over decades are not torn down in a day. New gangs just getting started can sometimes be wiped out by swift, decisive action. But to quickly eliminate the entrenched gang subculture in L.A. County is an unrealistic goal. Our best chance to control gangs is to understand what makes them work.

GANG VALUES:

It is no accident that gang styles of music, language and clothing have made a big impact on popular youth culture. Gangs represent a powerful group identity utterly inaccessible to adults, and they are surrounded with an appealing aura of outlaw danger. That the boring, brutish reality of gang life rarely matches the fantasy does not diminish the power of the myth.

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A gang constitutes a type of extended family. Clothing, hand signs, graffiti and tattoos are merely visible signs of a powerful group identity built on the simplest of bases: loyalty to the people and the territory of the home neighborhood.

Gang life stresses friendship, manliness and hedonism. Responsibilities beyond friends and family are not emphasized. Scholastic achievement and work are devalued. Partying -- usually with alcohol and/or drugs -- is a key gang value. Manliness is defined in terms of sexual prowess, fighting ability, and a quick readiness to defend one's honor and family, or to back one's friends. Adult authorities, including parents, are regarded with suspicion and latent hostility.

Gangs offer marginal youths alternative routes to status, havens from insult to supersensitive pride, and physical and emotional outlets for anger and aggression. Strong territorial imperatives require frequent conflict with rival gangs.

The concept of masculinity which drives these activities has roots in Mexican machismo, Black folklore, and even mainstream American culture. A key aspect of gang psychology is dangerous, uncontrollable wildness, or *locura*. "Loco" behavior is valued for its deterrent and intimidating effects on outsiders.

Gangs provide a sense of belonging that is more important than any guiding set of values or rules. But rules <u>do</u> exist. While individuals are driven by different motivations, and actions may look savage and unpredictable to outsiders, through it all runs a well-understood code of conduct based on loyalty and respect.

Gang values should be understood but not romanticized or relied upon. As with most sets of ideals and values, these are generally honored in the breach. Gang members live in a harsh world and are not generally known for nobility of character.

<u>GANG ORGANIZATION:</u>

Analogies of street gangs to subterranean armies, organized crime, or para-military groups are profoundly misleading. An apparently imposing group like the Crips is a loose association of some 200 gangs, many of which are at war with one another, and none of whom recognizes or exerts any kind of central authority.

Individual gangs are equally marginal in their organization. Most are loosely knit coalitions of small, autonomous cliques. Apart from a general commitment to their 'hood and the gang lifestyle, the only unifying force is combat with outsiders.

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Gang leadership is decentralized, non-hierarchical, even situational -- more a function of individual prowess and reputation than of any collective decision. To the extent that leaders can be identified, they resemble other gang members. Leadership changes rapidly and may vary by activity -- leaders in drug selling may differ from leaders in 'gangbanging.' As with most youth groups, leadership is age-graded; young people are influenced more by their peers than by those several years older.

At any given time there is usually an older clique within the gang that is more feared and respected than others. Its members, together with respected individuals from other cliques, can be thought of, very informally, as the gang's leadership.

Gangs are loosely organized into small age/friendship cohorts or cliques. Those in the youngest clique are usually 12-15 years old. A clique reaches its peak in terms of organized gang activities at 15-18, when its exploits provide a model for the generation coming up. After 18, cliques begin to dissolve as members marry, get jobs, or go to prison. A clique is designated by a specific name, which is appended to the barrio name. Reference to a specific gang usually includes all active cliques.

Cliques vary in size but seem to average around four or five members -- roughly a car-load. There are social occasions when some or all of a gang's cliques come together -- picnics, weddings, funerals, parties, sporting events, etc. But even on such occasions the clique remains the basic unit.

Gang members have varying degrees of commitment to the gang that translate into rough levels of membership:

-- AT RISK youths do not belong to a gang, but have begun to show an interest. Experimentation with gang attire and symbols can begin as early as the second grade.

-- WANNABES come in all ages but are typically in their early teens. They have not yet joined a gang but, whatever their reasons for holding back, these boys are already attuned to the gang value system. If they are acceptable candidates, it is only a matter of time.

-- ASSOCIATES belong to the gang but are not considered by their peers to be regular, or core members. They participate in fewer gang activities than hardcore members.

-- HARDCORE gang members tend to be older, but experience may be based as much on time-served as on mere age. These young men are utterly committed to the gang; life outside pretty much ceases to exist. They are also dangerous -- the gang's leaders and shooters. Experts agree that 10-15% of gang members are hardcore -- with 10% the most common estimate.

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-- VETERANO AND O.G. (original gangster) are titles that usually refer to men in their 20's still prominent in gang affairs (again, experience means more than age).

Traditionally, a veterano was a sort of elder statesmen, retired from combat but still active and respected. Because of their status, veteranos could often mediate disputes and exercise some control over outbreaks of violence. This role has been greatly diminished in recent years.

Among Black gangs, O.G. status does not have quite the same connotations of authority and wisdom. In essence, it is peer recognition for having built a fearsome reputation. Along with the respect due an O.G., comes an ill-defined measure of extra responsibility. Gangs protect their O.G.'s but, apart from employer relationships related to drug-dealing, they have little authority over younger members.

There are several different types of gangs. Most street gangs in Los Angeles are traditional turf gangs. But there have always been variations -- like the Hispanic "stoner" gangs that arose in the '70's. Notable for emphasizing drugs and rock music rather than turf, their separate identity has faded over the years.

Entrepreneurial gangs resemble organized crime networks more than traditional street gangs. They are concerned more with profiting from drug sales than with turf, and are organized vertically, with a definite hierarchy. Members view them as "organizations."

Black gangs in the Bay Area are extremely entrepreneurial. And it has been suggested that Los Angeles area gangs -- especially Black gangs -- may be moving in the same direction. While some local street gangs have begun to take on a distinctly "entrepreneurial" look, there is not much evidence to support the notion that the trend is significant for gangs taken as a whole. The major exception is found among Asian gangs which are often highly entrepreneurial and have strong links to organized crime.

The term "Asian gang," widely used in law enforcement, suggests a false uniformity across ethnic lines. In fact, very different gangs have developed in the various Asian communities.

Vietnamese gangs are so different from traditional street gangs that experts prefer to describe them as "youth gangs." Members range in age from the late teens to the early twenties. Most are immigrants, under tremendous family pressure to do well in school but unable to do so. These gangs are formed to make and spend money. They claim no turf; indeed, they are notorious for their mobility. Cross country trips are common, involving as many as 15-20 people, financed by armed robberies along the way.

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Vietnamese gangs are small, but their crimes are not. They typically attack Vietnamese homes exclusively -- and frequently with great violence. Almost without exception, they are able to extract $15,000 to $20,000 per residence. Victims are rarely go to the police, and gang members are careful not to draw attention to themselves with special clothing, tattoos, etc. Adult Vietnamese organized crime groups specialize in extortion and many youth gang members aspire to enter that world, but there seems to be no real link between the two levels of crime.

Chinese street gangs, by contrast, are directly related to organized crime and frequently used as "muscle" by their elders. Outwardly, Chinese gangs bear some resemblance to Black and Latino gangs. But the differences are more important than the similarities. Like Vietnamese youth gangs, Chinese gangs are unabashedly devoted to money. Their organization is hierarchical rather than by clique, often led by one person. Like their elders in organized crime, Chinese gangs are divided by country of origin. Immigrant communities from Hong Kong, Taiwan and Vietnam (ethnic Chinese) each support different combinations of organized crime groups and related street gangs.

Cambodian gangs, concentrated primarily in Long Beach, are hybrid in style. Like Chinese gangs, they specialize in extortion. Like the Vietnamese, they are highly mobile and comfortable with violence. They also mimic the turf-conscious style of Hispanic gangs -- from hand signs to drive-by shootings.

Prison gangs have a long and violent history in California, but are more akin to organized crime networks than to street gangs -- especially in their operations "outside." Several years ago, corrections authorities reported that street gang alumni were forming groups in prison -- the Consolidated Crips Organization and the United Blood Nation. There was concern that these groups would emerge as "super gangs," displacing established prison gangs and linking up with comrades outside. Thus far, however, nothing so organized or sinister appears to be happening.

Anglo gangs are common in Los Angeles but almost none are conventional street gangs. The most significant and dangerous Anglo gangs are basically adult organized crime groups -- including the Aryan Brotherhood prison gang and motorcycle gangs like the Hells Angels. So far as is known, none of these groups have any connections with street gang members.

Anglo youths do sometimes join neighborhood turf gangs dominated by other ethnic groups, especially Hispanic and Stoner gangs. True Anglo street gangs, on the other hand, are much rarer. Skinheads, don't claim turf but they do sometimes commit brutal assaults against other ethnic or cultural groups -- most frequently against gay men. Their crimes are of great symbolic importance but their numbers are exceedingly small within the

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larger gang context -- perhaps two hundred Skinheads countywide with a similar number of Anglo punk gangs.

CHAPTER FOUR: CRIME, DRUGS AND VIOLENCE

GANGS AND CRIME:

Gang members, male and female alike, commit crimes in numbers far out of proportion to their share of the general population. One study found that gang males are responsible for more than six times as much crime, per capita, than non-gang males. For every crime studied, a much higher percentage of gang members than non-gang members were criminally involved. And more than half of all gang members (56%) were multiple offenders.

Why do gangs breed crime? In part, it is because they attract the most crime-prone members of the most crime-prone group in society: adolescent males. Three realities of gang life drive the crime rate: fighting, partying and unemployment.

By far the most visible and frightening of gang crimes is homicide. Contrary to popular belief, most gang homicides are not random shootings nor are they disputes over drugs or some other crime. Gang homicides are the products of old-fashioned fights over turf, status and revenge. Drive-by-shootings and other confrontations of this kind typically involve small sets of gang members acting more or less on their own -- not large groups representing an entire gang. But each such attack creates a chain reaction of complicity, vengeance and commitment. One infamous gang war has raged for a dozen years between two Crips factions -- the Rollin' 60's and the Eight-Tray Gangsters. It supposedly began with insults hurled over a junior high-school romance. More than two dozen people have since been killed.

If gang members are not fighting, they are likely to be partying. This drives crime in several ways: It encourages heavy drinking and drug abuse; it brings gang members into routine contact with the illicit drug distribution system; and it creates a strong need for more money than is readily available at home.

When a normal teen-age need for money is compounded by the costs of the gang life-style, and frustrated by an aversion to (or an inability to find) honest work, the result is frequently a turn to crime for profit. Those who do not deal drugs may turn to theft, burglary or armed robbery. Such crimes are rarely gang activities, but gang norms of bravery and disdain for authority tend to encourage members in the pursuit of illicit income.

Gangs provide role models and on-the-job-training in crime techniques. But the crimes themselves are not committed on behalf of the gang, nor are proceeds shared. Individuals who commit crimes do so for their own reasons and by their own rules.

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Gangs attract young men who enjoy crime and violence. The stark reality is that Los Angeles is producing an extraordinary number of dangerous, alienated young men -- and, one way or another, there is a price to be paid for that in terms of crime. It may even be that gangs should be seen as symptoms rather than causes. After all, if gangs disappeared tomorrow, there is no reason to believe their members would join the Boy Scouts.

GANGS AND DRUGS:

Drug Use: Most gang members use drugs and alcohol. Less than a quarter say they abstain (compared to over 60% of non-gang members). Over 70% use drugs, usually about once a week. The total incidence of drug use among gang members is roughly four times greater than among non-gang youths.

There are clear ethnic preferences in drugs. Black gangs in Los Angeles prefer cocaine, especially "crack." Latino gangs are big on PCP. Chinese gangs are the most likely to use opium and heroin. White motorcycle gangs prefer methamphetamine. Marijuana is equally popular across ethnic lines.

Gang drug use is mainly recreational and gangs are not very tolerant of addiction. Heroin addicts, especially, are disliked because loyalty to the drug outweighs loyalty to the gang.

Drug Sales: The total incidence of drug sales among gang members is seven times higher than among non-gang youths. Roughly half sell drugs in any given year; but only one in seven are committed dealers, selling at least 12 times a year.

It has been suggested, primarily in law enforcement circles and the media, that L.A. gangs are a major component of the drug distribution network in Los Angeles and nationwide. The truth appears to be more complicated and less dramatic. Many gang members make their living as small-time drug dealers. There are also many drug-dealing organizations whose leaders, employees and subcontractors include gang members. But there is no evidence that traditional turf gangs in Los Angeles have begun to change their focus and operate primarily as drug distribution networks. Latino gangs certainly have not. Black gangs probably have not.

Gangs have been involved with the lower levels of the drug trade for many years, but their participation skyrocketed with the arrival of "crack" cocaine. Almost overnight, a major industry was born -- with outlets in every neighborhood, tens of thousands of potential new customers and thousands of sales jobs available. The real question is not whether gang members deal "crack." Like many others, they do. The question is, are they dominantly involved in the drug trade? The answer appears to be no.

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Drug dealing and gang banging are two widespread, growing phenomena which share much of the same territory and many of the same people. Despite considerable overlap, however, they do not appear to have merged into a single activity.

From 1983-1985, while cocaine arrests in Los Angeles were soaring by 375%, gang involvement rose from less than 10% of all cocaine arrests to 25%. However, most of these cases involved low-volume street sales, and there was no sign of any more sophisticated or controlling gang involvement. Even in the most gang-infested area of Los Angeles, three-quarters of arrests for selling cocaine did not involve gang members in any way.

In 1988-9, gang homicides were no more likely to involve drugs on some level than non-gang homicides (62% vs. 66%). And gang homicides were much less likely to be motivated by drugs than were non-gang homicides (17% vs. 27%). Younger gang members, those most actively involved in gangbanging, may kill for the 'hood, for respect, for revenge -- but not for drugs. By contrast, homicides involving older gang members look more like non-gang homicides in this regard. Though still affiliated, they are no longer killing for the gang but for business.

In truth, traditional street gangs are not well-suited for drug distribution or any other business-like activity. They are weakly organized, prone to unnecessary and unproductive violence and full of brash, conspicuous, untrustworthy individuals who draw unwanted police attention. For all these reasons, big drug operators -- those who turn to drug dealing as a serious career -- typically de-emphasize gang activity or leave altogether.

ARE DRUGS TRANSFORMING GANGS?

One researcher has distinguished at least four different types of gangs based on their patterns of drug use and sales:

-- SOCIAL GANGS: 28% of gangs are involved in few delinquent activities and little drug use other than alcohol and marijuana use. They also have low involvement in drug sales, mostly to finance their own use. These gangs are not unlike many adolescent social groups.

-- PARTY GANGS: 7% of gangs have few members involved in other criminal behavior, but are deeply involved in several types of drug use, drug sales, and one type of delinquency -- vandalism. Their drug sales, in the absence of other forms of crime, are supportive of their "drug party" lifestyle.

-- FIGHTING GANGS: 37% of gangs include serious delinquents who are extensively involved in violent and property offenses. Involvement in drug sales, however is far lower than for the 'party gangs,' as is the use of serious substances. Drugs

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play a secondary role in their criminal activities and drug use is mostly recreational or social in nature.

-- INCIPIENT ORGANIZATIONS: 28% of gangs have more extensive involvement in serious drug use and higher rates of drug sales. Their drug use and selling appear to reflect a systematic relationship with other criminal acts. This is a highly cohesive and organized type, probably at the highest risk for becoming a more formal criminal organization.

The study found this last type of gang to be less common in Los Angeles than in the other cities studied. Local experts agree that few L.A. gangs have been transformed into drug rings.

ROUTINE GANG/DRUG INTERACTIONS:

-- Gangs often exercise a degree of tacit control over those selling drugs in their neighborhoods. This does not imply that only gang members may sell, but it does mean that no members of enemy sets may do so.

-- Nevertheless, gangs do not control the supply of drugs. Depending on local circumstances, gangs may provide protection for drug dealers (free for members, at a price for independents -- this is known as paying "rent").

-- Many O.G.'s take on larger roles in drug trafficking. Some remain active in the gang, but most do not -- drifting away or gradually disengaging. Drug activity of this kind is best thought of as phasing into a new career while maintaining old business and social contacts.

-- Younger gang members are often recruited (or actively seek jobs) as street dealers. Typically, they continue to gang bang while dealing. This is an individual choice about how to make money, not a gang-dictated career.

-- Membership in a gang can be a kind of "finishing school" for drug dealers -- exposing young recruits to the trade, introducing them to the necessary local connections, etc.

-- Despite such arrangements, gang members remain essentially independent agents.

-- As with any business, there are a few gang members who do extremely well dealing drugs; a large number who make a modest living; and a great many who fail utterly. It takes luck and skill to survive as a street dealer. One veteran of the drug wars calls $500 a week a very high income for most gang street dealers. Few are getting rich. Those few, however, are powerful role models for poor ghetto youths.

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-- Gang members who sell drugs typically do not use them, and look down on people who do. Gang members arrested for drug dealing rarely show up with "dirty" drug tests on probation.

The DEA reports that Los Angeles Street gangs, especially older former members of Crips have been identified selling drugs in forty-six states. L.A. gang experts report two contradictory reactions when summoned to give advice in other cities: a high degree of naivete and denial about the presence and influence of L.A. gang members; and a highly exaggerated, media-hyped estimate of that same presence. Overall, most knowledgeable observers agree that, with a few notorious exceptions, L.A. gangs are not engaged in a centralized, systematic expansion into drug markets.

Gang migration appears to be driven by a fairly simple process of families fleeing the poverty and crime of central Los Angeles. Teenagers committed to gang lifestyles move with their families, and where gang members land, full-fledged gangs and associated drug dealers often follow. The pattern of movement is different for Blacks (dispersed around the region, state and country) than for Latinos (basically expanding from traditional neighborhoods).

Gang members have good reason for travelling to sell drugs:

1) A powerful, media-driven fascination with, and respect (or fear) for, gangsters from Los Angeles.

2) Provincial drug markets with limited supplies, high prices and little competition.

Nevertheless, most gang members are extremely provincial and do not travel to new drug markets. Those who do may be members of a gang, but they are not its agents. They are mostly older former Crips who quite consciously put the values and conflicts of gang life on hold for business reasons.

Ironically, traditional street gangs may be better suited to widespread drug operations than are overtly drug-oriented gangs: They are built on loyalty and a commitment to neighborhood which transcends business arrangements. No vertical gang structure is compromised if one or more members move to serve new drug markets. Nor do business disputes between individual retailers touch the core of the gang's existence. Because these operations are independent of any overarching gang hierarchy, they are difficult and tedious work for law enforcement -- numberless, unconnected rings of small and medium operations.

At home or away, the gang/drug connection is intimate but indirect: Gang members are involved, but gangs are not. The long range question is whether the economics of drug dealing will override traditional values and transform the gangs. As things stand now, connections between gangs and drugs in Los Angeles are

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intense but not fundamental. Low-income, minority neighborhoods are like patients suffering simultaneously from heart disease and cancer. No doctor can treat one disease without taking the other into account. But curing one will not cure the other.

GANGS AND VIOLENCE:

A little over half of all gang members report some degree of participation in violence, usually minor or isolated -- a higher rate (by a factor of four) than for nongang members. There are also twice as many frequent violent offenders among gang members.

As measured by homicides, gang violence in Los Angeles has tended to rise and fall in long cycles lasting five to ten years. But the upward trend in recent years is undeniable. Most experts believe the rise is not explained by a general rise in societal violence. Gang violence appears to be driven in part by an intergenerational dynamic -- younger members wanting to match or outdo the reputations of their predecessors.

While it makes intuitive sense and good copy that drugs and gangs are inherently a violent mixture, it does not appear to be true. Illicit drugs tend to breed violence in all settings, but they do not seem to have an especially severe impact on gangs -- except, perhaps, indirectly. Cash derived from the sale of drugs has made it easier for gang members to acquire more dangerous weapons.

More plentiful, more powerful weapons cause more violence: With cash and guns more readily available, many constraints have vanished. Spur of the moment shootings are common. Not only are there more shootings, the shootings are deadlier than ever because new weapons are more forgiving of bad marksmanship. Better weapons also increase the chance of hitting innocent bystanders. These trends accelerate the action/reaction cycle of gang attack and revenge. It may be that current levels of violence were always implicit within gang values and better guns simply permit the full and deadly expression of those values.

Divisive though the issue is, L.A. County should examine all options for reducing the availability of guns to gang members: In the absence of stronger state and national laws, local governments have tried different approaches to reduce the availability of weapons to teenagers -- from programs to buy and destroy weapons with no questions asked, to full-fledged attempts to ban the local sale of handguns, with many options in between. Whether such measures are feasible in Los Angeles is a matter for public debate. Given the extraordinary levels of gang violence in this community, that debate should be joined in earnest.

Profit-driven violence may be growing among older gang members: There is a sharp division by age within gangs, especially in the Black community, in terms of drug involvement. Those in the

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traditional peak years of gang activity -- teenagers, mainly -- mostly continue to adhere to the traditional gang lifestyle. Their violence is related to turf, status and revenge. Their involvement with drugs is basically that of part-time employment.

Among O.G.'s at the traditional age for exiting the gang -- early twenties and older -- there has been a considerable movement into mid-level drug dealing. Many of these young men exist in a kind of netherworld between gangs and organized crime. As more and more older gang members try to cut slices of the drug pie, the situation is ripe for more profit-driven violence.

Immigrant gangs have sparked a resurgence of violent "turf" wars: The traditional cholo gangs of Los Angeles can be said to have reached a kind of equilibrium in terms of their turf and their relationships with neighboring gangs. Their numbers are stable or even declining. As gangs go, their potential for violence is reasonably low under normal circumstances.

Outsiders might assume that new Spanish-speaking immigrants would simply be absorbed without disturbing the equilibrium. Instead, new arrivals are looked down on, ridiculed, resented, even preyed upon by established gangs. Not surprisingly, they react by forming new gangs of their own. This creates a truly explosive situation because the new gangs tend to claim the same turf that has been held by traditional gangs for decades. Instead of one-gang neighborhoods with potential for violence at the boundaries, there is a highly combustible mixture of rival gang members living close together. Many of the hottest, deadliest gang wars in Los Angeles grow out of such situations.

Violence may eventually reach levels that are unsustainable: A common theme of interviews with gang members is the desire to get out, to escape the violence. It may be that such comments are themselves indicators that the current cycle of gang violence has reached a level that will slow gang recruitment, frighten gang members, and shock the community into action. Some researchers have been anticipating such a downturn for quite some time now. Thus far, the numbers have not obliged.

CHAPTER FIVE: GANG NUMBERS AND TRENDS IN LOS ANGELES

Los Angeles City and County have long been leaders in keeping and reporting statistics on gang-related crime. This region is also fortunate to have the nation's most advanced computerized database on gang membership.

DEFINING AND COUNTING GANG CRIME:

General gang definitions, though important, are not really used much by law enforcement nor anyone else outside a faculty

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lounge. But definitions of what constitutes a gang crime are used every day and have real consequences for public policy. While there are many possible definitions of gang crime, there are two basic approaches: Authorities can count gang-related crimes or they can count gang-motivated crimes.

-- Gang-related crimes are those which involve at least one gang member -- as the criminal, as the victim, or both. This is the definition of gang crime which has been favored by law enforcement agencies in Los Angeles.

-- Gang-motivated crimes are those caused by gang activity. Typically, though not always, both the criminal and the victim are gang members. This is the definition of gang crime favored in Chicago and other cities.

Differences in reporting statistics tend to overstate gang crime in Los Angeles and understate it in other large cities: The choice of definition makes little difference in the types of crimes reported. But it makes a large difference in the numbers reported. The motive-based definition yields about 60% as many gang homicides as the member-based definition.

In 1991, gang homicides accounted for just over 36% of all murders in Los Angeles, compared to 14% in Chicago. Had Chicago's narrower, gang-motivated definition been used here, the proportion of gang murders might have dropped to 20-21%.

Building GREAT has exaggerated the growth rate for gang crime: Before the GREAT database, gang files were maintained manually in many locations. No one could compile reliable totals. Estimates of 10-20,000 gang members were common five or six years ago.

-- When all the data were pulled together, it turned out that there were a great many more gang members than previously suspected. This gave the impression that there had been a tremendous surge in gang membership.

-- The perception of rapid growth was heightened by the gradual process of building the computer file. It has taken GREAT about five years to move from an initial 15,000 records or so to around 100,000. That's a 5-600% increase, which works out to an annual growth rate of roughly 45%. L.A.P.D.'s Gang Tracking System (GTS) has grown even faster -- over 50% per year, from 12,000 records to 65,000 in only four years.

Because a good deal of data remains to be collected and entered in GREAT and GTS, we may have another year or two of "explosive" growth. After that, with regular purges and a mature data base growing at a much slower rate, we may begin to see stories about a slow-down in gang membership.

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-- The new and rapidly-growing database also had a third consequence: It greatly increased the chances that crimes would be identified as gang-related. In the pre-computer days, identifying a suspect (or a victim) as a gang member could be a hit-or-miss proposition. Nowadays, the chances of missing a gang connection have plummeted.

There have been real and dramatic increases in gang crime. However, the act of gathering a database has exaggerated the trend. Unfortunately, gang violence is going up. Fortunately, it is not going up quite so rapidly as it seems.

TRENDS IN GANG VIOLENCE:

The current era of gang violence is the worst in county history: Gang homicides in L.A. County hit a record high of 771 in 1991. There were approximately 8.5 gang homicides per 100,000 residents -- compared to roughly five per 100,000 at the peak of the worst previous cycle of gang violence in 1980. Other violent gang crimes -- felony assault, armed robbery, shooting into occupied dwellings, etc. -- are also setting new records. Since 1980, gang violence has killed more than 4,700 people in L.A. County.

Gangs have been responsible for virtually all growth in homicides since 1984: In 1984 there were 1,442 murders in L.A. County; of these, 212 were gang-related and 1,230 were not. In 1990 there were 1,966 murders in the county; 690 were gang related, 1,276 were not. Adjusted for population growth, non-gang murders actually declined over that six year period; but gang-related murders exploded by more than 200%. As a result, gang-related murders have accounted for a larger and larger proportion of all homicides: 14.7% in 1984; 18.5% in 1985; 21.2% in 1986; 23.6% in 1987; 29.6% in 1988; 31.3% in 1989; 35.1% in 1990; 37.6% in 1991.

1984 was a watershed year for gang violence: Some observers credit the 1984 Olympic Games for keeping gang killings low that year despite the sudden appearance of "crack" in Los Angeles. The gang homicide rate has been rising ever since, which may or may not be cause and effect. The big jumps in 1989, 1990 and 1991 cannot be attributed to "crack," because violence was down among the ethnic gangs most intimately involved with the drug.

Black gang violence is down in recent years: There was a 29% decrease in Black-on-Black gang killings in the Sheriff's jurisdiction during 1990. In Los Angeles proper, the share of killings attributed to Black gangs, which was 51% as recently as 1988, fell to 32% in 1990. Assuming that this is a trend rather than a statistical blip, there may be several reasons for it:

1) The Black population in L.A. County is no longer growing rapidly -- the L.A. Unified School District reports a 15% drop in Black enrollment over the last decade.

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2) The rate of participation in gangs and gang-related violence may simply have reached unsustainable levels -- perhaps because gang membership is already extremely high; perhaps because the remaining children are insulated from gangs through powerful ties to family, church and school; perhaps because a building community reaction has begin to moderate gang behavior and affect recruitment; or perhaps because a gruesome equilibrium has been reached based on rates of flight, death and incarceration within a stable population.

3) The combined efforts of government, school, law enforcement and community may be having an impact. There has been a relative shift of anti-gang resources toward the Black community. Some of these efforts have made a difference, though the gains may yet prove short-term and illusory.

Latino gang violence is up: The Sheriff reported a jump of 96% in Latino gang homicides for 1990. L.A.P.D. reports that the biggest increases in gang crimes of all kinds occurred in the city's most heavily Latino neighborhoods. And the number of new Latino gang members added to GTS files in 1989 was two-and-a-half times greater than the number of new Black gang members. Again, this trend may have several causes:

1) Latino population is rising faster than any other group save Asians -- and it is growing from a substantial base. The L.A.U.S.D. reported a 23% gain in Latino enrollment over the same decade that saw a similar drop in Black students.

2) Much of the Latino growth continues to be driven by immigration which has especially serious consequences for the formation of new gangs and for intergang violence.

3) The shift of anti-gang resources away from Latino neighborhoods may have backfired. A relative calm was achieved in Latino gang activity prior to the 1984 Olympics. When Black gang violence began to skyrocket there was a partial redeployment of existing anti-gang activities.

Asian gang violence is believed to be growing rapidly, but there is no statistical evidence to support that belief: While the number of new Asian gangs (and gang members) is rising rapidly, the number of homicides and other crimes attributed to Asian gangs is not. There are several reasons for this:

1) Law enforcement data is far less reliable for measuring Asian gang crime because so many crimes against Asians are never reported to the police.

2) Both L.A.P.D. and L.A.S.D. acknowledge that they do not have enough officers with the necessary language skills and specialized training to be effective in this area; and both

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are trying hard to remedy the situation.

3) Conscious of their inadequate resources, law enforcement authorities tend to estimate the potential problem based on those few things that they know (or believe) about Asian gangs -- especially their strong links to organized crime.

Whether the future growth of Asian gangs will justify law enforcement fears is unknown. What is beyond dispute is that Los Angeles needs to make a major investment in its capacity to prevent and investigate crime in Asian communities.

Inter-ethnic gangs and violence may also be rising: Total inter-ethnic gang homicides in the Sheriff's jurisdiction actually went down in 1990. There is, nevertheless, a consistency to the anecdotal reports which may be a kind of leading indicator. To the degree that money begins to override traditional gang values, the possibilities for interracial gangs and violence will grow.

Drive-by gang shootings usually have specific (though frequently mistaken) targets: There is nothing random about most gang killings. Innocent bystanders are often killed, but their deaths are usually accidental. Old-timers in the gang sub-culture say that today's callousness about unintended deaths is a new development. Fear of being killed in this way is perhaps the most demoralizing aspect of life in much of Los Angeles County.

No more than a quarter of all victims of gang homicides, and possibly as few as 10%, appear to be innocent bystanders: Denial and/or true ignorance are widespread among family and friends of young people killed in gang shootings. Reporters and police are routinely assured that the victim had nothing to do with gangs. Sadly, in many cases that turns out to be untrue.

Through October of 1991, victims in three-quarters of the year's gang-related homicides in the Sheriff's jurisdiction (131 out of 174) either had gang connections or were not classified as innocent bystanders for other reasons. This proportion has been fairly constant for some time.

In their analysis of 201 gang homicides in South Central Los Angeles in 1988-9, U.S.C. researchers found only nine (4.5%) with absolutely no connection between suspect and victim. Another 11 (5.5%) involved mistaken identity or third party association.

<u>EXPLORING AND ANALYZING THE COUNTY'S GANG DATABASES:</u>

L.A.S.O. and L.A.P.D. should assign crime analysts to assess the data in their gang databases for trends and useful information: Extraordinary effort goes into building and maintaining the databases for daily use. There is also a steady flow of basic statistics. Yet there is no regular analysis of the data for

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trends or patterns that might improve enforcement.

There are roughly a thousand gangs active in Los Angeles County: As of October, 1991 GREAT listed 936 gangs and GTS listed 513. Because a significant chunk of the GTS database is included in GREAT, virtually all the gangs in GTS also show up in GREAT.

Of these, GREAT lists 298 Black gangs (213 Crips, 85 Bloods) while GTS lists 207 (150 Crips, 57 Bloods). GREAT lists 467 Hispanic turf gangs while GTS lists 235. GREAT lists 63 Asian gangs (plus 16 Samoan) while GTS lists only 43 (no separate listing for Samoans). GREAT lists 61 Stoner gangs while GTS lists 25. GREAT lists 18 Anglo gangs (5 Punk, 4 Skinhead, 9 White) while GTS simply lists 3 miscellaneous white gangs. In each category, the total number is probably just a little higher than the GREAT number.

Most but not all of these gangs are engaged in heavy-duty criminal activity to some degree: The D.A.'s Hardcore Gang Prosecution Unit currently lists 800 gangs whose members have been prosecuted for at least one felony or serious misdemeanor.

The largest gangs in L.A. County have as many as several thousand members; the smallest fewer than two dozen. Any gang with several hundred members is considered large (or "deep"). According to GREAT, however, Black and Latino gangs average around 120-130 members. Other kinds of gangs are much smaller.

There are 125-130,000 gang members on file in the combined gang databases for Los Angeles County: Most people assume that GREAT includes GTS. That assumption will eventually be correct, but it is currently wrong. As of December, 1991, GTS held approximately 55,000 records, with roughly 10,000 additional records yet to be entered into the system from local CRASH files. Of the 65,000 total records, just 12,000 had been entered into GREAT.

At that time, GREAT comprised approximately 101,000 records, including roughly 5,000 duplicate names. The duplicates were mostly the result of entries from GTS. Assuming that the rate of duplicates will remain relatively constant, the combined databases hold records on 125-130,000 gang members -- including approximately 5,500 Asian and Pacific Islander gang members; 13,500 Bloods; 35,000 Crips; 76,000 members of predominantly Hispanic turf gangs; 1,700-1,800 Stoners; 400-500 miscellaneous white gang members (NOTE: the categories total more than 130,000 because of the 5,000 duplicates).

GREAT maintains records on a great many inactive gang members: When GREAT was set up, it was intended only to track <u>active</u> gang members. Individuals showing no contact with the police for five years were to be deleted from the database. Purging is manual rather than automatic, however. And, since the oldest data in

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the GREAT system was entered just over four years ago, no general purge has yet been conducted.

The gang data base is subject to artificial aging: The years of peak gang activity are the mid-to-late teens and early 20's, yet the average age in GREAT is 24. Because the artificial aging effect is especially pronounced as we approach the first purge, the true median age for active gang members on file is probably no higher than 23 -- perhaps as low as 22.

Younger gang members are under represented in the database for three reasons:

-- Police officers have less incentive to stop and arrest younger gang members because the juvenile justice system treats youngsters arrested on routine charges leniently.

-- Older gang members tend to commit more serious crimes. So their chances of arrest and entry into the GREAT file are higher than for teens engaged in less serious crimes.

-- The longer a young man stays in a gang, the greater the opportunity for police to identify him as a gang member.

Examining the age distribution of the gang databases permits a more accurate estimate of gang members in L.A. County: Comparing GREAT data to 1990 Census data, suggests that there are at least 12,000 additional gang members aged 15-20 who do not show up on GREAT. There are also roughly 10,000 gang members who do not show up because their cities have not joined the GREAT system.

There are approximately 150,000 gang members active in L.A. County: Adding the 20-25,000 gang members in L.A. County who have not yet shown up in any database to the estimated 125-130,000 gang members already on file yields a total of 150,000.

GREAT reveals sharp gender differences in gang membership: Only a tiny fraction of young women have found their way into the combined gang databases -- just over three-quarters of one percent of all women aged 21-24. By contrast, young men of that age are 12 times more likely to have records on file.

GREAT documents major ethnic differences in gang participation: As measured by GREAT (and adjusted for non-duplicates in GTS), the average percentage of gang members among men aged 21-24 in L.A. County is just over 9.5%. But that figure conceals some truly startling differences among ethnic groups:

-- Less than one-half of one percent of white men aged 21-24 show up in a gang database.

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-- Asian youths in GREAT are much younger than gang members from other ethnic groups. A reasonable guess is that 6-7% of Asian youth are involved in gangs at one time or another.

-- In all likelihood, something like 9-10% of Latino males in L.A. County get involved with gangs at some point.

-- The age distribution for Latino gang members in GREAT (male and female alike) is much older than for any other ethnic group. Clearly, the powerful cholo subculture holds more gang members in thrall for a longer time -- of course, Latino gangs are much older. Over time, Black and Asian gangs may show an age distribution more similar to Latinos.

Almost one-half of all young Black men are in the gang database: The most troubling data to be found in GREAT concerns young Black men. Of all Black males aged 21-24 in L.A. County, just under 47% appear to have records in the combined gang databases. Black males of that age are only 18% as numerous as Latino males. Yet they are present in GREAT 99% as often as Latino males. This may reflect any or all of several trends:

-- **Extraordinary numbers of Black youths may be failing to exit gangs at the traditional time.** Almost daily, the press reports on the closing of doors that can permit Black youths to exit gangs and enter the world of adult responsibility.

-- **Crime, especially drug-dealing, may be a more viable career-path in the Black community than elsewhere.** "Crack" has created a huge and geographically compact base of regular users who manage to scrape together money to buy in small doses. These conditions sustain a huge clandestine economy.

-- **It is ironic and suggestive that the relative number of Black gang members on file begins to soar at age 18.** Traditionally, 18 has been thought of as the beginning of the end for gang cliques, but the GREAT data shows an opposite pattern for Blacks. This is consistent with the theory that the combination of limited access to legitimate exits and easy access to illegitimate ones prevents large numbers of Black youths from leaving gangs.

The data are also consistent with the notion that the police, for whatever reason, step up their arrest activity disproportionately among young Blacks when they are no longer eligible for the juvenile justice system. That this happens is not really in dispute. The only question is why.

-- **Black youths are more likely to be arrested than other youths, which increases their chances of being identified as gang members.** There are probably many interconnected reasons for this -- poverty, racism, high-crime areas, etc.

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-- **Blacks may be over-identified as gang members.** Quite apart from racism, there are reasons for speculating that Black youths may be mis-identified more often than other youths:

The fashion preference for gang-inspired clothing, language, music and paraphernalia is more widespread among urban Black youths than among any other group.

The high percentage of gang membership among teenage Black males may create heavy peer-pressure on marginal youths to "claim the 'hood" when confronted by police.

On the other hand, there are also reasons to suspect that the situation may be even worse than the numbers suggest: Census data on age distribution indicate an enormous undercount of young Black gang members. At least one local expert in Black gangs thinks that a great many young Blacks are secretly involved with gangs but do not show up because they have no criminal records.

A careful, professional examination is needed to determine whether police procedures may be systematically over-identifying Black youths as gang members: The numbers reported here are estimates and they require careful evaluation -- both to confirm their accuracy and to consider their implications. A review should be conducted by persons knowledgeable on gangs and on police procedures -- both from within L.A.P.D. and L.A.S.D. and from outside -- to inform policy makers of the true dimensions of the problem and to recommend changes, if any are needed.

CHAPTER SIX: CRIMINAL JUSTICE SYSTEM RESPONSES TO GANGS

This chapter does not deal with the court system nor with the corrections system. Instead, the focus is on local law enforcement and prosecutorial agencies. Los Angeles is already a national leader in gang enforcement. The criminal justice system's response to gangs can and must be improved; but no cheap or easy answers will be found in doing so.

LONG-TERM BARRIERS TO IMPROVED GANG ENFORCEMENT IN L.A. COUNTY

There have been some impressive accomplishments in gang enforcement over the last decade. Looking ahead, there are major obstacles which limit the prospects for further improvement:

Los Angeles is under-policed compared to other major cities. The Christopher Commission found that in 1986 Los Angeles had the lowest ratio of sworn officers per resident among the nation's six largest cities. L.A. also had one of the lowest ratios of officers per square mile of service territory. The L.A.P.D. has roughly 2.3 officers per 1,000 residents and the Sheriff's Department has approximately 3.6. Even the Sheriff's ratio is

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lower than cities like Chicago and Detroit. Philadelphia, to cite one relevant example, has a staffing ratio of 4.0:1,000.

Law enforcement productivity gains are no longer sufficient to keep pace with population growth. There are opportunities for further gains in law enforcement productivity, including redeployment from non-essential assignments. But with forces already lean and mean by national standards, there is not much "slack" left for coping with further population growth, increased gang violence or major turns for the worse in crime patterns.

Fierce competition for limited public revenues in L.A. County make it difficult to increase police staffing for any purpose: During the era of austerity inaugurated by Proposition 13, police budgets have fared well vis-a-vis other governmental services. Even so, staffing rations have shown little improvement. In some jurisdictions they have actually declined.

Gangs and gang crime are growing much faster than the number of gang-enforcement personnel. The demographic mix in Los Angeles -- with growth driven largely by youthful, ethnic immigrants -- virtually guarantees that gang membership will continue to outstrip general population growth for the foreseeable future.

Many of the easiest, least expensive gains in gang enforcement have already been realized in Los Angeles. In addition, because the scope and severity of the gang problem here are unique, prospects for imitating programs that have succeeded elsewhere are limited. Among the nation's major cities, only Chicago comes close to L.A. in the severity and complexity of gang problems.

The most obvious anti-gang strategies for Los Angeles are also the most expensive. In 1990, when the L.A.P.D. had approximately 100 officers in its gang units, Chicago -- a less populous, more compact city, with a smaller gang population -- had over 300. Los Angeles would need 400 additional gang officers just to match the level of enforcement in Chicago, not to mention substantial reinforcements for the Sheriff's Department.

The bottom line is that Los Angeles needs more police officers, with the reinforcements used to implement community based policing, to strengthen gang enforcement, or both: Recognizing the need is easier than meeting it. But the need for more officers on the violent streets of Los Angeles is indisputable.

COMMUNITY BASED POLICING AS A RESPONSE TO GANGS

Community based policing has the potential to be a very effective gang enforcement strategy: A key goal of community based policing is to use the police force to help reassert traditional forms of social control. The applications for gangs are obvious.

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The city of Reno, Nevada has shown what community based policing can do to fight gang violence: Reno adopted a community based policing program in 1988, when drive-by shootings were running at roughly 40-50 per year. The following year, the total dropped to seven. In the first half of 1991 there were none.

Community based policing is no panacea for our gang problems: Those who believe in community based policing must be careful not to load it down with unrealistic expectations. Reno is not Los Angeles. With hundreds of well-established gangs, many of them highly mobile, beat-oriented police are going to have problems. In addition, neighborhood foot patrols in earlier times did not prevent gangs from thriving in places like New York and Chicago.

Nevertheless, community based policing is a necessary part of the solution to gang violence in Los Angeles: Ensuring that police actions strengthen neighborhood cohesion and social controls rather than ignoring or undermining them is the beginning of wisdom in the fight against gangs.

For all its promise as an anti-gang strategy, community based policing cannot be done on the cheap: Adopting the principles of community based policing will undoubtedly benefit Los Angeles; but the principles alone cannot substitute for adequate staffing.

Experience in other cities has shown that the labor-intensive goals of community oriented policing are inherently in conflict with traditional police goals based on high-mobility -- especially rapid response time. L.A.P.D. is already unable to meet its own extremely modest goals for response time. To suggest that this sweeping change in police strategy can be implemented here with existing personnel is disingenuous and risks souring public opinion on a promising program.

PROBLEMS OF BUILDING AND USING A GANG DATABASE:

No program speaks more highly for the initiative of local law enforcement -- nor offers greater possibilities for future gains in gang enforcement -- than the creation of a powerful computerized gang database. GREAT, the nation's pre-eminent regional gang database, began with a 1986 grant from the state Office of Criminal Justice Planning, which expired on February 29, 1992. The system is based on arrest reports, personal interviews, probation reports and FI (Field Inquiry) cards filled in by law enforcement officers throughout the county. GREAT was intended to be part of a statewide system of regional gang databases -- a goal that L.A. County should continue to support.

GREAT was proposed as a unified system despite a history of strong institutional rivalry between L.A.S.D. and L.A.P.D. In practice, however, it has not yet fulfilled that promise. Relationships in the field of gang information are cordial and

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professional. However, the L.A.P.D. has never acceded to any arrangement which would leave it dependent on the L.A.S.D. for internal computer services. So the Department decided to build its own separate system, the Gang Tracking System; GTS is mainframe dependent, less accessible through remote terminals, and uses software incompatible with GREAT.

The decision to build a completely separate system has had many practical consequences, most of them negative:

-- L.A.P.D. officers have less than optimal access to their own extensive gang database.

-- L.A.P.D. officers cannot readily access gang information on the much larger county file, and vice-versa.

-- There is a considerable duplication in the two files.

-- Different standards and procedures for data entry raise issues of reliability and comparability.

-- Future developments will make separate systems an even less desirable arrangement.

Gang units in L.A.P.D. and L.A.S.D. are attempting to bridge the computer gap; but a unified system would serve Los Angeles better than a shotgun wedding of two incompatible systems. Efforts are under way to electronically translate GTS data into the GREAT format, creating a regular one-way flow of information. Any movement toward full compatibility will have to come from the City of Los Angeles.

Procedures for reviewing and entering data should be standardized to control who gets into the system: GREAT and GTS use similar but non-identical procedures for verifying data. Because L.A.P.D.'s gang operations are more decentralized, inexperienced or untrained officers may sometimes enter data into GTS (and, eventually, into GREAT).

LINKING PAROLE AND PROBATION DATA INTO THE GANG DATABASE

One weakness of GREAT (and GTS) is that the system contains no information on parole or probation. Community gang workers want advance knowledge of release dates for hardcore gang felons. And law enforcement wants quick access to conditions of parole and probation for gang offenders. At any given moment, tens of thousands of gang members are on parole or probation, with many routinely violating the conditions of their release. Access to that information can turn routine stops into quick incarceration.

Bureaucratic inertia is the major obstacle to adding parole and probation information to GREAT: Basically, the information is

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very simple and the sources are very limited: the Department of Probation for L.A. County; the California Youth Authority; and the Calif. Dept. of Corrections. The Probation Department was a part of the original GREAT grant application and will finally provide GREAT with information on conditions of probation, on a limited, experimental basis, sometime this year. By contrast, the state correctional agencies are not in the business of sharing their information with the locals and don't intend to be.

County officials should exert pressure to make the term and conditions of probation and parole for hardcore gang members available for inclusion in GREAT.

DIFFERENT STYLES OF POLICE GANG ENFORCEMENT:

L.A.P.D. is perceived to have a more confrontational gang enforcement style than L.A.S.D. The hard-nosed, full-suppression approach associated with the L.A.P.D. draws substantially more criticism than the more community-oriented style of L.A.S.D.

Some researchers believe that group confrontation tactics may inadvertently strengthen gangs: This unproven theory holds that any unnecessary focus on group identity (like overuse of gang names) is counterproductive. Gangs define themselves by their enemies and the police can be very high-status, unifying enemies.

Even though all-out suppression tactics cannot be sustained by police, they can be successful in certain situations. The recurrent criticism of this tactic is that it makes no lasting impact. For community residents, however, even short term relief is extremely valuable. There are also situations where a short burst of high-energy suppression works very well -- like stamping out new gangs before they can get established.

Programs like Operation Hammer are highly controversial among gang experts: Although the L.A.P.D. has reduced its reliance on massive gang sweeps (like Operation Hammer), it continues to believe they are effective. L.A.S.D. units have generally eschewed high-visibility suppression tactics like Hammer, and their tactics appear to improve community/police relations.

There are significant differences in terms of gang crime between the communities served by L.A.S.D. and those served by L.A.P.D.: The City of Los Angeles includes 39.3% of the population of Los Angeles County. In every year since 1980, Los Angeles has accounted for a disproportionately high share of the county's gang homicides -- ranging from a low of 47.7% in 1990 to a high of 57.0% in 1986, with an average of just over 53%.

The Sheriff serves 25.3% of L.A. County's population. Since 1980, that jurisdiction has usually had a share of gang homicides slightly below its share of the population -- from a low of 18.0%

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in 1986 to a high of 28.3% in 1984, with an average of 23-24%.

The picture is quite different for other gang-related crimes. The L.A.P.D. consistently reports fewer gang-related robberies per capita than the L.A.S.D. Gang-related kidnapping is much more prevalent in the Sheriff's jurisdiction; so is shooting into occupied dwellings, a more common crime. The rate of felony assaults is similar in both jurisdictions.

There is no evidence that one department is more effective than the other at preventing gang crime: The gang problems faced by L.A.S.D. and L.A.P.D. are comparable in scope and severity. The results obtained also appear comparable, especially when the Sheriff's higher staffing ratio is factored into the equation.

DIFFERENT ORGANIZATIONAL APPROACHES TO GANG ENFORCEMENT

L.A.S.D.'s gang operations are highly centralized; L.A.P.D.'s are widely dispersed. In the Sheriff's Department, all specialized gang units report to the captain of O.S.S. In the L.A.P.D., CRASH units are essentially a part of the geographically-based chain of command, directly responsible to their area commanders.

L.A.P.D. is perceived by outsiders to lack central authority and direction when it comes to gangs: Prosecutors were especially likely to raise the issue. L.A.P.D. has had a centralized gang unit, called the Gang Information Section (GIS), within the Detective Support Division. However, DSD/GIS, which was always seen primarily as a statistical and informational unit, has recently been disbanded, its personnel dispersed to the field.

The new Los Angeles Chief of Police should consider the possibility of uniting gang operations under a single command: The decision to decentralize was purposeful rather than haphazard and may still be the right one. But the city and the department would be well-served if gang enforcement were placed on the agenda as a new chief considers options for reshaping L.A.P.D.

Organizational deficiencies at L.A.S.D. are perceived by outsiders to be less serious: There is, however, a sharper separation between O.S.S. officers and regular patrol officers than between CRASH officers and the L.A.P.D. rank and file.

L.A.P.D. has spread responsibility for some pieces of the gang problem to specialized units outside of CRASH and GIS: In some cases, like Asian gangs, the strategy has worked well. In others, like gangs and narcotics, it has not yet proven its value.

TARGETING HARDCORE GANG MEMBERS:

The call for a strong focus on hardcore gang members is nearly universal among law enforcement professionals around the

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nation and here in Los Angeles County. There is a consensus that young men who have reached the hardcore stage are lost. And, despite the extremely weak leadership and organization typical of gangs, most law enforcement experts are confident that hardcore gang members can be identified with a useful degree of accuracy.

A more systematic focus on leaders/shooters/hardcore could improve the effectiveness of anti-gang efforts in L.A. County: Removing these individuals from the community may not destroy the gang, but it can certainly help cut violence and crime and temporarily disrupt the orderly flow of drugs and weapons.

Among others, the City of Oxnard has had great success with a combination of programs that focus enforcement efforts on a fairly sizable group of hardcore gang members -- and on aggressively seeking out a much smaller number of youthful serious habitual offenders (SHO's). The time is right for tying resources together to pursue a similar strategy in Los Angeles -- a strategy that is proactive rather than reactive.

Hardcore targeting is more praised than practiced in L.A. County, largely because the gang databases as currently maintained are not very useful for targeting. A common estimate is that no more than 2% of all young men are hardcore gang members. By this standard, the GREAT/GTS database is at least five times bigger than expected. The proportion of young men on file (9-10% at the peak) fits very comfortably within the predicted range for <u>total</u> gang involvement -- including hangers-on and associates.

Having a complete listing of a suspect's friends and associates is extremely valuable in conducting investigations. But police and prosecutors cannot distinguish the truly hardcore gang members within this undifferentiated mass of people.

The GREAT/GTS databases should be augmented to facilitate the identification and tracking of hardcore gang members. The key is for gang experts in L.A.P.D., L.A.S.D., the D.A.'s Office and other jurisdictions to agree on a legally defensible protocol to define hardcore gang members. Several approaches could be used:

-- automatic computer-searches based on pre-set parameters;
-- field evaluations by experienced gang officers;
-- input from local and federal narcotics specialists;
-- a serious habitual offender (SHO) profile;
-- and limiting the hardcore class to a fixed proportion of the file (10-15%) to keep the concept focussed over time.

In terms of the biggest payoff for the least expense, this is the single most important step that L.A. County/City can take to improve gang enforcement: It is the key to more effective use of resources in every agency -- and a strong inducement to more effective coordination between agencies.

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Serendipitously, this is a convenient moment for making such a change: The GREAT database is due for its first five-year purge. Adding the chore of identifying hardcore gang members will not be trivial, but this is the least disruptive time to do it.

Gang investigators and prosecutors should join forces to ensure that every crime committed by targeted hardcore gang members receives special attention and results in a maximum sentence.

JOINING FORCES WITH FEDERAL LAW ENFORCEMENT

Until quite recently, street gangs have not really been a federal priority. However, a modest array of additional federal resources is now becoming available for gang enforcement. To be of significant value in Los Angeles, these resources must be used cooperatively to strengthen the much larger local effort.

There are institutional barriers to effective federal/local gang investigations: Federal/local tensions are legendary and the natural friction is exacerbated by problems in gang enforcement.

By and large, federal investigators have little training or experience with Los Angeles street gangs. Their professional backgrounds are in narcotics and organized crime, so their priorities tend to focus on the nexus between gangs and drugs.

Local authorities, by contrast, often see little meaningful connection between gangs and narcotics: Gang specialists have good reasons for viewing narcotics as a sideshow to the main problem and vice-versa for narcotics officers. Their mutual lack of interest in joint operations, and almost non-existent level of communication, is extremely frustrating for federal agents.

Federal prosecutors, though inexperienced with gangs, bring access to speedier federal courts and higher federal sentences: The downside is that the carrying capacity of the federal system is very small compared to local needs. California alone has almost twice as many prison beds as the entire federal system. And a single week's worth of cases from the L.A.D.A.'s office could overwhelm the federal court system for months.

Local and federal law enforcement should join forces to target the worst 10% of hardcore gang offenders in L.A. County -- the core of the hardcore -- for pro-active investigation and prosecution: The target list, which would probably include around 2,000 gang members at any one time, would be distilled by local gang and narcotics experts from the GREAT/GTS hardcore files, the GRATS database, and a profile of youthful serious habitual offenders. Criminal histories would be checked for prior arrests and convictions. Targeted gang members with high exposure under federal law would be assigned to federal teams of investigators and prosecutors. Those with low federal exposure

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would be assigned to local teams. Some cases could be worked jointly. A side benefit of building the target list would be enforced communication between local gang and narcotics units.

The District Attorney and/or the Sheriff and the L.A. Police Chief should take the initiative by responding to the F.B.I.'s request for suggestions on effective use of its new personnel -- and by asking the U.S. Attorney to join the effort.

FOCUSSING ENFORCEMENT EFFORTS ON INDIVIDUAL GANG MEMBERS

Strategies which focus on individual accountability hold great promise for combatting gang violence. In the last few years, prosecutors and police have begun to experience great success using programs based on this principle.

Use of the Street Terrorism Enforcement Program (STEP) has produced a remarkable deterrent effect: The STEP Act, which was drafted and sponsored by the District Attorney in 1988, is implemented through notices delivered by police to gang members. These individual notices have produced a powerful effect.

In San Fernando, a STEP-like process has been used to keep warring gangs out of a park: The park, which had been all but abandoned by the public, is now heavily used by local residents. Thanks to careful targeting of notices to hardcore gang members, in the first six months of enforcement there have been only three citations and no further violent incidents.

STEP still has problems that must be worked out, but prosecutors and police should expand its use and continue to experiment with other enforcement mechanisms emphasizing personal responsibility: STEP is labor intensive and it is not yet clear how long the deterrent effect lasts. Best guess at the moment is six months to a year, though it may turn out that diligent police work can extend the period by reinforcing the message of personal accountability. Even if the effect turns out to be short-lived, it can offer breathing space for regular law enforcement, community mobilization and other anti-gang efforts to take hold.

PROBATION RESPONSES TO GANGS

Probation is caught between two missions: constantly under fire for failing to do what no one can do -- prevent serious criminals on the loose from committing new crimes; chronically unable to attempt what it might be able to do -- help marginal kids who've gotten in trouble to straighten out and pull back from gang life. The Department has responded to huge caseloads and shrinking budgets by focussing its efforts on high-risk offenders and pulling back from close supervision of adults.

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Probation's range of responses should be coordinated with a county-wide focus on hardcore gang members:

1) Those gang members on the target list of worst offenders -- the core of the hard core -- should go to prison. Those few who end up on probation should be placed on Intensively Supervised Probation (ISP) to maximize the chances of detecting violations which could warrant incarceration.

2) Hardcore gang members not on the target list should also be targeted for maximum time in jail or prison. But many will inevitably spend time on probation. They should be placed in the Specialized Gang Supervision Program (SGSP) -- indeed, this is the group SGSP currently tries to cover.

3) Any spare capacity within SGSP should be used to handle adult peripheral gang members no longer attending school.

4) **The School Crime Suppression Program seems perfectly tailored for peripheral gang members and "wannabes" who have committed crimes but are still in school. It should be evaluated and expanded to handle as many juvenile gang probationers as possible.**

5) A logical companion to SCRP is Probation's Gang Activity Prevention Program which focusses on peripheral and potential gang members not yet in serious trouble.

PROSECUTION RESPONSES TO GANGS

The District Attorney's Hardcore Division has won high marks for effective gang prosecution: An independent evaluation found that Hardcore improved the conviction rate in gang homicides from 71% to 95% while also improving incarceration rates. The most consistent suggestion by those interviewed for this report was that Hardcore should resume handling a broader range of cases.

Hardcore, which was originally intended to deal with all serious cases of gang violence, has become a *de facto* homicide unit: By 1990, homicides accounted for more than 80% of the Hardcore caseload. In 1991, gang homicides hit 771 for the year, over 37% of all homicides in the county and virtually 100% of the Hardcore caseload. As 1992 approached, Hardcore's Central Branch had to temporarily stop accepting new cases, including homicides.

The great majority of gang cases must be prosecuted without benefit of Hardcore's specialized, vertical handling: Last year, while Hardcore was struggling to handle the record rash of gang murders, approximately 19,000 additional violent felonies were committed by L.A. gang members.

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Enough additional prosecutors should be assigned to Hardcore to permit the division to perform three basic missions:

-- Continued prosecution of all cases of gang-related homicide.

-- Prosecution of all non-federal felony cases developed from the joint target list of worst gang offenders.

-- Providing regular training and technical assistance to all investigators and prosecutors handling cases involving hardcore gang members.

In addition to the Hardcore Division, the District Attorney's Office has improved prosecution of gang cases by forbidding plea-bargains: A no-plea-bargain policy was adopted in 1989. In the first 18 months, deputy D.A.'s filed more than 2,000 felony cases against gang members. Because the policy has now been extended to all felony cases involving weapons and/or violence, the joint law enforcement actions outlined in this report are needed to help refocus and strengthen the entire anti-gang effort.

The District Attorney's Office proposes additional steps to ensure that all cases involving hardcore gang members receive specialized handling: Reconfiguration of the combined L.A.S.D./L.A.P.D. gang databases would permit the District Attorney to assign all hardcore gang cases to prosecutors who:

1) Have had experience in prosecuting gang cases, or

2) Have received thorough training in the techniques of gang prosecution from Hardcore deputies, or

3) Whenever possible, have both experience and training.

The L.A. City Attorney's Office has also taken a strong stance on gang prosecutions: Recognizing that the office should play a role in combatting gangs, the City Attorney created its own vertical prosecution unit in 1987 to focus on hardcore gang members guilty of misdemeanors rather than felonies. The Gang Prosecution Section is well-regarded by gang experts outside the City Attorney's Office, and its results have parallelled the dramatic gains achieved by Hardcore a decade earlier. The City Attorney has also established programs to deter gang activity -- including the Civil Abatement Program.

HISTORY'S LESSON: JOINT, TARGETED ANTI-GANG EFFORTS BY LAW ENFORCEMENT AGENCIES CAN REDUCE GANG VIOLENCE IN LOS ANGELES

Something appears to have worked in 1980. Gang violence fell sharply over the next four years: Specialization and inter-agency cooperation were the key elements of the response. New resources allocated to fight gang violence were modest at best.

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They were used primarily to create specialized gang units in Probation and the D.A.'s Office; to strengthen anti-gang efforts in L.A.P.D. and L.A.S.D.; to build links between intervention activities and law enforcement (including CYGS); and to establish regular communication and cooperation between agencies.

In essence, the goal was to see the gang problem as a whole and to address it in a coherent way that made the best use of existing resources. Those who participated in that effort believe it was the new emphasis on communication and cooperation between agencies that made things work.

The specialized gang enforcement units of a decade ago have been overwhelmed by burgeoning caseloads and can no longer function as intended. L.A. County and City should clearly define their missions and fund them at levels that permit those missions to be performed. Redefined missions for prosecutors and probation have been proposed above. But they cannot be implemented unless police gang units also take on expanded missions.

-- Targeting: It is essential that the gang units within L.A.P.D. and L.A.S.D. receive additional resources to implement and maintain effective targeting.

-- Inter-agency cooperation: Police gang units must also be staffed at levels which permit them to invest in effective cooperation. It is not easy, automatic or free.

-- Focussing on hardcore gang members: All deputies should check all likely cases against GREAT/GTS to see whether hardcore gang members are involved. Without this step, prosecutors and probation cannot prioritize effectively.

-- Expanded street-level gang enforcement: New missions for police gang units must not interfere with the basic work of street-level intelligence gathering and gang enforcement.

-- Regular, independent evaluation: Ideally, the Board of Supervisors and the CAO (or the City Council and the Mayor) should do this as part of a regular evaluation of anti-gang efforts, including prevention.

Although L.A. gang enforcement officials continue to have strong and cordial working relationships, some of the old spirit of cooperation has dissipated: Such changes are inevitable with the passage of time. If things are better on the cooperation front today than they were in the late 70's -- and they are better -- it is because of the work of the Interagency Gang Task Force.

The Interagency Gang Task Force continues to do valuable work but no longer focusses primarily on law enforcement and suppression: The Interagency Gang Task Force was created by Los Angeles County

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in 1980 and has been a much-imitated success. The IAGTF was formed to improve communication between law enforcement and gang suppression workers. Over time, the membership of the Task Force and its mission have shifted to include a much broader concern with prevention. Partially as a result of growth and change, members now cite a number of frustrations and suggestions.

-- **The IAGTF may want to consider organizing along sub-regional lines.** Much of the Task Force's work already deals with coordination of anti-gang activity in limited target areas.

-- **The IAGTF should seek to sharpen the focus on its original goals of suppression without damaging the new emphasis on prevention.** A forum with an agenda limited to improving gang suppression will be necessary if proposals like targeting hardcore gang members via the GREAT system are to be implemented. If the IAGTF is not a workable forum, one should be developed through other channels.

A key goal of county gang enforcement should be to develop a basic coordinated strategy for gang suppression in target areas. The District Attorney's Office, the Sheriff's Department and the Probation Department are currently engaged in an experiment to gauge the effect of combining short-term law enforcement efforts (like STEP) in a single limited area. The goal is to develop a coherent, united approach that can be replicated on a serial basis throughout the county's gang infested neighborhoods.

The target area suppression strategy should be used only in coordination with (and as an incentive for developing) an effective local prevention strategy: Over time, Los Angeles City and County could have a system of rolling suppression efforts moving around the region on a cyclical basis. A short burst of coordinated law enforcement activity would be repeated in gang-infested areas at regular intervals, always in support of a regular, planned evaluation and renewal of local prevention efforts. This system could prove to be a flexible, long-term answer to Los Angeles' endemic gang problems -- allowing us to repeat, and improve on, the successes of the early 1980's.

CHAPTER SEVEN: GANG PREVENTION PROGRAMS

There is a growing consensus within Los Angeles County that prevention is the key to a gang-free future. But prevention means many things; and few if any have been proven to work.

The many different approaches to gang prevention can be divided into four broad categories: The traditional groupings include suppression; providing opportunities; social intervention; and community mobilization. In Los Angeles, as in most communities with gang problems, no single strategy holds sway.

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There is only the sketchiest of data about what works and what doesn't: Among those who work with the gang problem, providing opportunities and community mobilization are generally perceived to be effective prevention strategies, but are not widely used; suppression and social intervention strategies are much more common, but are not perceived to be especially effective.

PROVIDING OPPORTUNITIES AS A GANG-PREVENTION STRATEGY

This category deals with efforts to provide educational and economic opportunity. The key moments in gang prevention are when young men think about entering a gang and when they think about leaving. That makes good schools and jobs the best gang prevention programs.

As a city of immigrants, with all the attendant consequences for gang activity, Los Angeles must be especially cognizant of issues involving opportunity: In addition to education and economic growth, local government should back policies that can help keep immigrant youngsters from being pulled into gangs: more classes in English as a second language; encouraging private efforts to help settle new arrivals; ensuring that public policies do not inadvertently weaken family ties and parental authority, etc.

OPPORTUNITY THROUGH EDUCATION

Improving the public schools is by far the most significant long-term anti-gang strategy that Los Angeles can pursue -- not gang prevention curricula; just plain school. Policy-makers at every level who are intent on fighting gangs should do everything possible to help keep kids in the classroom and off the streets.

Experimenting with schools designed to better serve the needs of low-income, minority neighborhoods can have powerful side benefits in reducing gang membership: The Governor has offered (though not yet funded) a proposal for using schools to deliver community services. In addition to its other benefits, this approach could have a tremendous impact on gang recruitment by helping more children succeed in school. Local officials should not only cooperate in this endeavor, they should help lead it.

Gang prevention programs have been pursued with vigor and creativity in Los Angeles schools: Los Angeles has been a national leader in this field, developing widely admired programs like "Alternatives to Gang Membership" in Paramount; DARE; SANE; L.A.U.S.D.'s Mission SOAR (Set Objectives, Achieve Results); etc.

It is difficult to prove the value of in-school gang prevention programs: They generally produce strong attitudinal changes about gangs and drugs among students. Yet the impact on gang recruitment is mixed at best -- even for respected programs like those in Paramount and the Harbor area.

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Since the DARE and SANE programs focus primarily on drug abuse, they have never been evaluated as gang-prevention strategies. However, DARE's impact on drug use has been evaluated and the results are discouraging. There is no reason to believe the impact on gangs is any better. Gang violence in Los Angeles has risen every year since DARE began in 1983.

Whatever their merits, school-based gang prevention programs, by themselves, will never put an end to the gang problem: Most programs rely on very limited periods of instruction to overcome the effects of living with gang culture 24-hours a day, seven days a week, 52 weeks a year. It's not an equal contest. The best hope is for school-based prevention programs to be linked into larger, coordinated efforts at gang prevention.

PROVIDING OPPORTUNITIES THROUGH WORK

It is easier to focus public efforts on educating at-risk youngsters than on employing older youths: Each community must weigh the risks and benefits of focussing scarce employment resources on gang members. Job opportunities are critical to the reduction of the gang problem for older youth and young adults. But jobs do not necessarily equal the end of gangs and crime.

There are a number of employment training and placement efforts in the Los Angeles area that have had success with gang members:

-- **The Job Corps** has been rigorously evaluated, and it works. At an annual cost of $20,000 per student, roughly two-thirds of all graduates are placed in jobs, with an additional one in six going on to further education. Graduates not only better themselves economically, they are much less likely to be involved in criminal activity. Here in California, the Job Corps reports good success working with gang members -- perhaps because most of its students are in residential programs that take them out of their home neighborhoods.

-- **The East Los Angeles Adult Skills Center** functions much like a non-residential Job Corps program. Roughly 10-15% of the students are gang members, and the center maintains close working relationships with many anti-gang organizations. Of those who complete the program over 90% are said to be placed in jobs. The program has never been formally evaluated as a gang-prevention strategy.

-- **Youth Opportunities Unlimited** is a new federal program designed to test an integrated approach to employment training by targeting all youth in a single neighborhood. This goal fits well with the emerging consensus that gang problems are best addressed through coordinated multiple prevention efforts within each neighborhood.

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-- **The El Monte Plan** has been implementing many of the goals of the YOU program for nearly 20 years. The centerpiece of the effort has been a commitment to providing jobs for gang members, with over 1,600 youths placed in jobs thus far. El Monte's leaders believe the gang problem there has abated, and the number of gang homicides has dropped slightly over the life of the program, despite a tremendous growth in population. Yet it is not easy to prove any connection between these things and the El Monte Plan.

Gang prevention policy in Los Angeles County should include a strong emphasis on employment programs: By comparison with other forms of prevention, such programs are models of proven success. Research indicates that the greatest return for investment occurs when limited job training resources are focussed on the most difficult cases. In addition, where possible, publicly funded summer jobs should be used as part of a gang-prevention strategy.

On a smaller scale, carefully supervised employment of ex-gang members in publicly funded prevention programs can be valuable: However, when a program decides to depend on ex-gang members as part of its staff, experience dictates that this must be treated as a job training program in its own right, with all the extra support, preparation and strict supervision that such programs entail -- including drug testing, regular turnover and job placement. Failure to expend the extra effort and money will doom employment preparation and endanger prevention activities.

SUPPRESSION AS A GANG PREVENTION STRATEGY: JUVENILE JUSTICE

Heavy caseloads of serious crimes have forced the priorities of the juvenile justice system away from effective gang prevention. For instance, the number of juveniles arrested for homicide in L.A. County increased by 184% between 1985 and 1990; and the number of juveniles referred to adult court for prosecution on felony changes has increased by 120% in the past three years.

As presently structured, the juvenile justice system not only gives inadequate attention to young offenders, it teaches them that crime has no consequences: A child may commit a dozen low-rent crimes before receiving meaningful sanctions. This tempts kids to escalate their criminal activity to a point of no return.

There are differences of opinion about the consequences of inadequate deterrence in the juvenile justice system: There is research indicating that kids who experiment with crime take a cafeteria approach, with no regular movement toward more serious offenses. Nevertheless, there is general agreement on the importance of breaking the habit of crime early in life.

Los Angeles County should invest in providing appropriate help and deterrence at the front end of the juvenile justice system.

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A key first step would be improved coordination between the County's service delivery system for children and the juvenile justice system. There has already been some limited movement in this direction with the "Juvenile Justice Center" concept.

SUPPRESSION AS A GANG PREVENTION STRATEGY: STATUS OFFENDERS

State law on certain kinds of status offenders is a major barrier to effective gang prevention through juvenile justice reform: A change in state law forbidding the incarceration of juvenile status offenders with adult criminals inadvertently gutted efforts to control truancy, curfew violations, and other status offenses that can lead to gang involvement. It is no longer feasible to arrest most status offenders and, therefore, illegal to detain them. Police departments have responded with ineffective policies that essentially seek to bluff their way through situations where no real sanctions are available.

No status offense poses more serious problems than truancy: Truancy is the number one precursor to juvenile crime. Yet truant officers are now a rarer species than the California Condor. In 1977, the School Attendance Review Board system was created, incorporating many of the well-meaning faults of the juvenile justice system. The SARB system is cumbersome, slow and utterly without teeth. Schools try to avoid being caught up in its coils, and truants have virtually no chance of experiencing swift action that will deter future misbehavior.

The District Attorney's efforts to put teeth into the S.A.R.B. system are swimming upstream: In 1989, the D.A.'s Office began its Truancy Mediation program. The D.A.'s office has conducted 1666 hearings, filed 556 juvenile court petitions, won probation for 208 youngsters, and contempt citations for eighteen more. The District Attorney, in cooperation with the L.A.P.D., also runs the Truants of Probation program. Although these measures have added a useful measure of deterrence to an otherwise ineffectual system, they cannot make up for its basic inadequacy.

Los Angeles County and City should take a united and very public stand to urge the Legislature to reform the law on truancy and curfew. The CCJCC could be asked to develop specific legislative proposals and a local blue-print for implementing reforms.

PARENTS: THE KEY TO EFFECTIVE GANG PREVENTION

Parental accountability is essential for effective reform of the juvenile justice system and the law on status offenders: The District Attorney and the L.A. City Attorney have experimented with actions against parents for violating school attendance laws and for permitting gang activity. Even if such prosecutions prove impractical, lesser threats can still be effective.

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Truancy Mediation and Family Diversion are promising methods for ensuring parental responsibility: Thus far, some 60 parents have been fined and placed under court orders by Truancy Mediation. A much larger group -- approximately 700 -- have been referred to the City Attorney's Parenting Program through a Family Diversion project run by the City of Los Angeles.

Teaching parenting skills is an increasingly popular idea, but one that must be approached with great care: Courts have begun to mandate that parents of juvenile offenders attend parenting classes run by groups like Soledad Enrichment Action. These efforts should be encouraged so long as they are connected to the local community. Otherwise, parenting classes can degenerate into smug, culturally irrelevant, middle-class preaching.

Parental accountability should be built into every aspect of the county's response to juvenile crime: In a county with 150,000 gang members, and at least that many regular status offenders, we are still measuring success in terms of dealing with hundreds of parents each year. The only way to improve performance is to consciously focus on parental responsibility. For example:

-- It could be routine police procedure to question and observe parental attitudes during all juvenile detentions.

-- Citations and fines could be used as attention-getting, mid-level sanctions for truancy and curfew violations.

-- Parents could be required to appear in person to pick up their children at the risk of fines or jail.

Returning juvenile cases to the court nearest the child's home is an inexpensive reform that would strengthen parental involvement: Disposing of cases where the crimes are committed makes it more difficult for parents to appear; removes cases from the courts with best access to local programs serving at-risk youth; and makes it unlikely that children committing multiple offenses will come before judges who have seen them (and their parents) before.

School-based gang prevention programs have great potential for triggering parental involvement: One reason to stick with these programs, even when their evaluations are weak, is that the school setting offers the best chance to pull in parents.

School-based prevention programs can also be used to identify high-risk children, and their families, for further intervention: Family intervention in the first years of school has potential as a gang prevention strategy. Some experts believe that kids headed for serious trouble can be spotted by the time they are in second grade. There is research on using "risk factors" to identify such children and target families for intervention; but no proof that the strategy will have any impact on gangs.

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A focus on juveniles and their families is bound to raise sensitive legal issues: Is it legitimate to use children's responses in school-based gang prevention programs to target their parents? If the family resists help, what recourse should there be? Should school, law enforcement and/or probation authorities be informed of a child's persistent predisposition toward gang activity? If so, by whom and by what authority? The earlier attempts to target children -- and their parents -- begin, the harder it is to answer these and other questions.

All gang prevention programs considered for public funding should be evaluated on their effectiveness in reaching parents: With parents actively involved -- and fully accountable -- almost any kind of prevention effort has a fighting chance of success. But prevention without parents is a dicey, frustrating business.

When targeting parents, it is important to distinguish between gang <u>prevention</u> and gang <u>intervention</u>: At any age, and at any stage of gang involvement, there is value in programs that make sure parents know what their kids are up to. But there is no evidence that parenting education, punishing parents, or any other program will succeed in pulling kids out of gangs.

<u>SUPPRESSION AS A GANG PREVENTION STRATEGY: PROBATION</u>

Probation has the potential to play an important role in gang prevention: The Probation Department once had extensive programs aimed at juveniles headed for trouble. But it was forced out of prevention by Proposition 13 and has only recently been able to re-enter the field with GAPP (Gang Activity Prevention Program). Probation supporters like to point out that the current surge in gang activity began after the old probation programs ended.

The initial evaluations on GAPP look good and the program should be considered for expansion within target areas for community mobilization: 71% of juveniles supervised under GAPP were no longer involved in gangs by the end of probation. However, the program remains small compared to the population needing service.

The County should fund a short-term experiment to determine the costs and benefits of "aftercare" prevention for youngsters released from juvenile detention camps: Experience with "Project Return" in El Monte, and with the Probation Department's Boot Camp, suggests that recidivism rates for all detention camp alumni (currently around 50%) could be cut substantially with aftercare. NOTE: All camps may soon close for budgetary reasons.

Public officials should remain open to the possibility that gang prevention activities might be better handled through community based organizations than through law enforcement: Some gang experts do not believe in law-enforcement sponsored prevention programs at all. They maintain that the police can never reach

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that segment of the community most at-risk for gang membership, and that an equivalent public investment in similar work by community-based organizations would produce a much bigger payoff. There is currently no way of proving or disproving that claim.

Policy-makers should permit both public and community-based agencies to compete for roles in publicly sponsored prevention efforts: Drug and gang prevention in the schools are good examples of programs that should be evaluated competitively; so are detention camp aftercare; parental effectiveness training; and pre-gang intervention efforts like those in GAPP.

As time and resources permit, volunteers from law enforcement agencies -- including the District Attorney's Office -- should also be encouraged to join in community-based prevention efforts: Many remarkable law-enforcement-sponsored prevention efforts are under way in Los Angeles County -- including Jeopardy, sponsored by L.A.P.D., and Operation COURAGE, sponsored by L.A.S.D. With the advent of community-based policing, it is important that law enforcement participate in local gang prevention efforts.

SOCIAL INTERVENTION AS A GANG PREVENTION STRATEGY

Social intervention encompasses a range of activities -- from street work to recreation -- intended to help youths who belong to gangs (or are headed that way) make intelligent choices and stay out of trouble. Early prevention programs founded on the "youth outreach" model, including L.A.'s Group Guidance Program, were dismal failures, often making gang problems worse.

In the 70's, variations on the older model used gang leaders to combat gang violence. In general, these programs sputtered out in failure all over the country. A key exception was the CYA's Gang Violence Reduction Project (GVRP) in East Los Angeles. GVRP has survived many controversies, received several favorable evaluations, and is generally regarded as an effective, well-run program. Nevertheless, the state's current budget crisis has forced a major reduction in staffing and service area.

The 80's brought new social intervention efforts -- like CYGS -- patterned after the perceived success of Philadelphia's CIN: In the late 70's, despite the on-going "gang summit" approach in East Los Angeles and elsewhere, gang violence began to rise rapidly. The County responded by creating a number of new anti-gang institutions, including the Community Youth Gang Services program. CYGS was originally designed as a mobile strike force of street workers to gather intelligence on potentially violent situations and help keep peace by defusing gang crises. After weathering several periods of crisis, CYGS has emerged as the pre-eminent social intervention/gang prevention agency in Los Angeles -- efficiently and aggressively run, and receiving strong evaluations. In the process, CYGS has begun to compete with

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other kinds of prevention providers, including law enforcement.

The social intervention model continues to flourish, despite a checkered history, because it provides some essential tools: Two parts of the social intervention strategy have proven worse than worthless: group programming for gangs; and counseling. Indeed, the heavy emphasis on counseling in most diversion programs may account for their general ineffectiveness. Nevertheless, social intervention strategies continue to be heavily used:

-- Recreation programs are recommended almost universally by those who work in local gang prevention. Recreation activities do not break up gangs. Indeed, if carelessly employed, they can strengthen gangs, or help create them. But organized recreation, if carefully handled, can fill the idle hours that seduce adolescents into trouble.

-- When crisis intervention teams are needed, there are few effective alternatives. Street work does not eliminate gangs and it produces no observable long-term benefits. However, many neighborhoods would consider preventing a shoot-out at the big football game at least as important as any other prevention activity, and a great deal more urgent.

-- Street workers can also help law enforcement spot important changes and trends in the gang situation.

Street-level crisis intervention is becoming a scarcer commodity at a time when many believe the need for it is rising: Groups like CYGS and GVRP, who do crisis intervention very well, are diversifying their efforts because:

-- Crisis intervention is increasingly difficult and dangerous.

-- A defensive strategy, it does not change underlying problems -- it is stressful, unrewarding work, prone to burn-out.

-- Finally, there are changes of fashion in gang prevention funding, and agencies move in directions their funders move.

The trend in Los Angeles is clearly away from intervention efforts aimed at gang members and toward early intervention and prevention: Long experience teaches that young people who progress to hardcore gang membership are essentially beyond the reach of well-meaning attempts to save them. Individuals can and do find salvation, but no group has demonstrated an ability to perform this miracle in large numbers. In Los Angeles, fewer and fewer prevention programs make the effort. The result is a two-tiered strategy: Social agencies concentrate on prevention and intervention for younger youths; law enforcement concentrates on suppression and incarceration for older ones.

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There is reason to hope that a combination of early intervention and law enforcement pressure may cause gangs to shrink: Current prevention and intervention techniques, focussed largely on the young, recall an experiment from 20 years ago which seemed to cut off gang recruits. It has already been proven that suppression tactics can put the top ranks of a gang temporarily out of commission. If we could also cut off new recruits, then gangs pressured from both top and bottom would begin to shrink.

COMMUNITY MOBILIZATION AS A PREVENTION STRATEGY

Community mobilization is old wine in a new bottle. For more than 50 years, social disorganization theorists have sought to help local communities deal with gangs by weaving scattered threads of anti-gang activity into united community efforts.

Principles of community mobilization have played a major role in the best-known success stories in Los Angeles gang prevention: The classic example was East Los Angeles in the late '70's and early '80's. In many ways, it is the memory of what was achieved there that drives today's emphasis on community mobilization.

Current community mobilization projects seek to combine law enforcement and community-based efforts in opposition to gangs. The Interagency Gang Task Force has been a prime mover. Projects include Reduction in Street Violence Program (RSVP); CYGS Target Area strategy; and the Community Reclamation Project (CRP).

RSVP began as an effort to build in South Central Los Angeles the kind of coordinated effort that succeeded in East Los Angeles: The program, which began in January of 1988, was generally perceived as a success but never formally evaluated. Because the L.A.P.D. boosted gang enforcement in the target area -- including Operation Cul-de-Sac -- and because desired levels of staffing and funding were not achieved, it's hard to assess RSVP's impact. In 1990, the L.A.S.D. station serving the area had a modest drop in total gang related crime, but an increase in homicides and violent felonies. The L.A.P.D. division serving the area had a 10% rise in gang related crime in 1990, followed by a 12% drop in 1991. Compared to nearby divisions, these were good results.

CYGS has largely adopted the RSVP strategy in its own Target Area Strategy: CYGS runs programs designed to deal with every aspect of the gang problem: crisis intervention, employment, school-based prevention, community mobilization, graffiti removal, parent/teacher education, etc. It also champions a variation on RSVP which involves the coordinated delivery of all its services, in cooperation with law enforcement, within a single Target Area. L.A. City funded a pilot program of the Target Area Strategy in two L.A.P.D. divisions in 1990 and has since funded expansion into two new areas. Meanwhile, CYGS has developed a community mobilization protocol which has been used as the basis for

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conferences sponsored by the City of Los Angeles (and by L.A.S.D.). The goal of the conferences is to form Target Area Committees and implement the strategy in all L.A.P.D. divisions.

The Target Area Strategy is proven to yield short-term results: Tests in the 77th and Southeast Divisions produced a substantial decrease in gang related and gang motivated criminal activity in 1990. Unfortunately, the decline did not continue in 1991. However, the increase in the target areas was much smaller than for the city as a whole -- less than 3% vs. 10.4%.

Some questions remain to be answered about the long-range potential of the Target Area Strategy:

-- How much of the short-term success is due to increased law enforcement efforts and to the general decline in the criminal activity of Black street gangs?

-- Can the initial effect on crime rates be sustained?

-- Can the program be implemented successfully without the focus and leadership provided by CYGS's full-time staff?

-- Can the program be successful without the coordination provided by CYGS's control of its proprietary programs?

The Community Reclamation Project (CRP) had strong support and mostly positive reviews, but the program is coming to an end: CRP was a federally funded three-year experiment in community mobilization in the Harbor area. The program, which was largely shaped by leaders of the IAGTF, is slated to end in the next few months. In simplest terms, CRP tried to provide the kind of coordinated service delivery aimed for in the Target Area Strategy -- but without CYGS-style central control.

There has not yet been a formal evaluation of CRP, but the impact on crime rates appears to have been mixed, at best: There was a short-term drop in gang related crime in Harbor City when STEP notices and Civil Abatement Notices were served in conjunction with CRP. In addition, the Sheriff's Carson station showed a substantial drop -- approximately 17% -- in gang crime in 1990. In sharp contrast, gang-related crime rose by 24% in L.A.P.D.'s Harbor Division during 1990, followed by an 18% jump in 1991.

Reflecting on the project's successes as well as its problems, CRP's Director highlights several issues:

-- Building a community mobilization effort from the ground up takes a long time, generally 2-5 years.

-- Continuity and leadership are critical problems.

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-- Coordination is easy on paper but hard in practice.

LESSONS AND ISSUES FOR COUNTY GANG PREVENTION POLICY

A rough consensus has formed in recent years about how to do effective gang prevention in Los Angeles. The goal is to combine the traditional approaches in a coordinated way within well-defined target areas. The question is, how do we get there?

Los Angeles needs a master plan for youth services that includes a strong, coordinated focus on at-risk youth: Los Angeles would do well to review the strategy adopted in the City of Denver -- a Multi-Agency Treatment Planning and Services Agreement (MAP) established within the existing budget and administrative alignment. What Denver needs may not be what Los Angeles needs. But Los Angeles does need a thorough review of its youth services delivery system -- followed by a similar commitment to action.

The Interagency Gang Task Force has long recognized this need in Los Angeles, and has lobbied for it with some success: In 1989, L.A. City established a Youth Advocacy Program (YAP) within the Community Development Department. L.A. County was slower to act, establishing the L.A. County Children's Planning Council in June of 1991. Unfortunately, gains thus far are mainly on paper. There is little discernible movement toward the primary goal of a master plan for services to at-risk youth.

Los Angeles should not wait for a youth services master plan to establish a systematic and sustained gang prevention effort: With gang homicides already approaching 800 per year, the cost of delay must be calculated in blood. L.A. County and City should move quickly to adopt a systematic program of gang prevention while tracking developments on the larger youth services front.

What we do in gang prevention may be less important than how we do it. A universal critique of public policy is the lack of continuity, and the East Los Angeles experience is cited often as an example of how not to respond to success. Gang homicides in East Los Angeles fell from 20+ per year in the late '70's, to 2-3 per year in the mid-'80's, to zero in 1988. As the gang problem abated, the successful partnership that had been years in the making was allowed to decay. In what may or may not have been cause and effect, a resurgence in gang activity followed:

-- The IAGTF's focus shifted toward new programs elsewhere.

-- The Sheriff's O.S.S. forces continued to work the Eastside areas, but lost some of their intelligence support. New police efforts tended to focus on more active gang areas.

-- To the degree that discretionary funds were available for new programs -- like RSVP, the Target Area Strategy, and CRP

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-- they were channelled elsewhere.

-- Finally, CYGS was ordered to redeploy much of its crisis intervention program to South Central.

The redeployment of resources was fully justified and may have been partially responsible for the relative decline in Black gang violence in recent years. Nevertheless, the shift left East Los Angeles ill-prepared for the new surge of immigrant-oriented gang violence that began there three years ago. After zero gang homicides in 1988, the number will probably surpass 40 when the 1991 numbers are final -- double the level of twelve years ago.

Current policy is short-term, reactive and self-defeating: Hop-scotching around the county trying to put out the hottest fire is not the way to reduce gang violence. It merely guarantees that every part of Los Angeles will get its turns in the fire.

Coordination of multiple private and public efforts is essential and should be a required element of all public grants or contracts for prevention: One obstacle to this policy is that turf wars among prevention agencies can be almost as fierce as those among gangs. While competition can be beneficial, it can also be wasteful and destructive. CYGS is perceived to be the most regular major participant in L.A.'s prevention turf wars.

CYGS is a very strong competitor because it has effectively combined its multiple programs into a coherent strategy: CYGS now has programs that put it in competition with virtually every other prevention agency in L.A. County. It is also the only agency with the in-house capacity to conduct a fully coordinated prevention effort in any designated target area. CYGS deserves praise for taking a big-picture view of gang prevention. But its increasingly dominant position raises important policy questions.

With current staff and funding, CYGS cannot sustain intensive Target Area prevention programs simultaneously in all gang-infested areas of the county. There are at least three options:

-- CYGS could be expanded to provide county-wide coverage.

-- Different agencies (including CYGS) could take the lead role in different target areas, coordinating programs provided by several agencies.

-- A combination approach could be tried -- expand CYGS sufficiently to provide other lead agencies with training and technical assistance in implementing its programs.

Regular evaluations must be a part of any master strategy for gang prevention: Each public prevention grant or contract should include a percentage to be retained by the funder to cover

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evaluation costs. The standards and methods by which performance is to be evaluated should be set forth in advance, and care taken that evaluations are uniform, timely and independent.

The outlines of an effective long-term, pro-active strategy for gang prevention in Los Angeles are clear:

-- The task of designing the strategy should probably be assigned to the IAGTF -- or to a similar inter-agency body constituted on an ad hoc basis.

-- Implementing the strategy will require formal agreement between the various public agencies as well as some regular forum for coordination.

-- Some variation of RSVP/Target Area Strategy is the obvious candidate on which to base a county-wide prevention effort.

-- Full-time staffing is needed to build a coordinated effort. A lead agency should be designated in each target area with goals and evaluation standards agreed to in advance.

-- If the Target Area Strategy is adopted, it should not dictate the choice of a single lead agency countywide.

-- Some critical services should be a part of every target area's prevention strategy: early identification and intervention; parent education; graffiti clean-up; school-based prevention; alternative activities like recreation; employment opportunities; community mobilization; etc.

-- Arrangements within each target area should take into account existing services.

-- However, the precise mix of services in each target area is less important than making sure they are coordinated and sustained in a united effort with other government services.

-- Whatever strategy is adopted, it must be designed to work in tandem with the kind of unified law-enforcement suppression effort outlined at the end of the previous chapter.

-- The strategy must also be designed with the goal of a unified youth services master plan firmly in mind.

-- It is important that there be a mechanism for independently recognizing areas that are having special problems at the earliest possible stage.

-- Prevention arrangements within each target area should be renewed, or reconfigured on a regular basis.

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-- Contracts should be conditioned on, and the renewal cycle timed to coincide with, standard independent evaluations.

-- The review/renewal cycle should not be so short as to undercut effective implementation.

-- Success should not be grounds for discontinuing or diminishing local efforts. The goal should be a sustained reduction of gang violence throughout the county.

In theory, it should not cost a great deal to provide permanent support for coordinated prevention efforts throughout the county: Assuming an average cost of around $200,000 per Target Area, and assuming that 25-30 of the law enforcement service areas were targeted, the basic annual cost would be $5-6 million. Some allowance should also be made for additional support services from public, private and quasi-public agencies -- which could double or triple the basic cost. All told, $15-20 million per year seems plausible -- split between city and county.

Although it is unlikely that L.A. County and City will soon be able to fund full-service prevention throughout the County, the goal should be reached in stages: Once a plan is in place, and has been proven to reduce gang violence, it should be easy to convince policy makers to gradually expand it to more and more areas. Indeed, the public will demand it.

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CHAPTER ONE: HISTORY AND ORIGINS OF GANGS IN LOS ANGELES

As the 20th century draws to a close, Los Angeles is generally acknowledged to have the worst street gang problem in the United States, if not the world. In a city that once believed itself immune to urban ills, nearly 800 people were gunned down by gangs in the last year alone. In a city famous for impermanence, gang traditions have now endured for generations. In a city accustomed to setting trends, no cultural export has been more successful than gangster dress, language and graffiti. L.A. styles -- from Raiders jackets to spray-painted citations of the California penal code -- have become the *lingua franca* of street gangs across the nation.

Indeed, casual readers of the popular press might easily believe that Los Angeles invented gangs and exported them to the rest of America as a by-product of the drug trade; but they would be wrong. Entrenched though the image may be, L.A. has become synonymous with gangs only recently. Street gangs are both much older and much younger than Los Angeles.

Gangs have long been a feature of industrializing societies: More than a century before the first Spanish settlement in Los Angeles, London was already being "terrorized by a series of organized gangs calling themselves the Mims, Hectors, Bugles, Dead Boys . . . who found amusement in breaking windows, demolishing taverns, assaulting the watch . . . The gangs also fought pitched battles among themselves dressed with colored ribbons to distinguish the different factions."[1] With an Uzi or two, and a stolen Chevy, that could be a scene from South Central Los Angeles in 1992.

Scholars have suggested that "[t]he origin of serious youth gang development is rooted in the shift from agrarian to industrial society."[2] So it is no surprise that late-17th Century London was the first city to be afflicted as Englands agricultural revolution forced thousands of displaced peasants into the city. Nor is it surprising that, in more modern times, "... youth gangs and gang problems have been reported in most countries of Europe, the Soviet Union, Kenya, Tanzania, South Africa, Australia, Mexico, Brazil, Peru, Taiwan, South Korea,

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[1] Geoffrey Pearson, Hooligan: A history of Reportable Fears; New York, Schocken Books, 1983: p. 188

[2] Carl S. Taylor, "Gang Imperialism"; in Gangs in America, edited by C. Ronald Huff (Newbury Park, London, Delhi: Sage Publications, Inc.); p. 103

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Hong Kong, and the People's Republic of China."[3]

American Street Gangs are Unique: Applying the word "gang" to groups of delinquents all over the world may be misleading, however. Few, if any, of these gangs bear much resemblance to the Crips and the Bloods. One scholar reports that "[t]hose who have searched for the structured street gang in Western societies other than the United States have in general failed to find anything more than ... cliques of friends."[4] Street gangs, as we know them in Los Angeles, are a uniquely American phenomenon.

Even viewed strictly as a home-grown product, the gang life-style is a very old one, dating back to the early 19th century. Moreover, there is nothing unprecedented about the scale of participation in present day Los Angeles. In 1855, New York City was estimated to have at least 30,000 active street gang members -- impressive numbers for a city with perhaps one-eighth the current population of L.A. County.[5]

At different moments in American history Chicago and Philadelphia have vied with New York for the title of street gang capital. Despite its recent, unwanted pre-eminence, Los Angeles is a relative newcomer to the competition. For the city's first 150 years or so, Los Angeles gangs were strictly minor league.

The Origins of Latino Gangs in Los Angeles: Prior to World War II, gangs did not exist in Los Angeles in their modern form. The first seeds of change were planted in the great economic expansion of the 1920's. The boom, which corresponded to domestic upheavals in Mexico, drew a tremendous wave of Mexican immigration to Los Angeles. Mostly poor rural people, the immigrants brought with them a tradition called *palomilla* (literally, a covey of doves) in which the young men of a village bonded into coming-of-age cohorts.[6] Transplanted to Los Angeles, the palomilla groupings made an easy transition to neighborhood or parish-based "boy gangs" during the 20's and

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[3]Spergel, et.al., 1990, p.5

[4]Anne Campbell, The Girls in the Gang, A Report from New York City, (New York: Basil Blackwell, Inc., 1984): p.233

[5] Herbert Asbury, Gangs of New York: An Informal Hisotry of the Underworld. New York: Alfred A. Knopf; 1927, p. 105

[6] James Diego Vigil, "Cholos and Gangs: Culture, Change and Street Youth in Los Angeles"; in Gangs in America, C. Ronald Huff, editor; Sage Publications, 1990; p. 118

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30's.[7] Still, these were far from gangs by today's standards. They dealt primarily in low-grade adolescent mischief.

During and immediately after World War II, something new and dangerous grew from these mild and familiar roots. Dr. James Diego Vigil, professor of urban anthropology at U.S.C., charts the transformation in terms of the Mexican immigrant experience.[8] Boom times and a relatively open door to immigrants in the 20's gave way to depression and forced repatriation in the 30's. Anger, frustration and racism built to a flash-point during the war.

The Zoot-Suit Riots of 1943, and the angry, repressive reaction toward Mexican-American young people were key turning points. Thereafter, the way outsiders perceived gang members, and the way they perceived themselves, changed profoundly. It was at this time, for example, that a "boy gang" traditionally known as Purisima (a name taken from the local parish) began to refer to itself by its current name, White Fence (for the surrounding barrio).[9] The days of relative innocence, as symbolized by religious names, were over.

Not coincidentally, these critical events took place at a time when the barrios had been stripped of strong, positive male role models. Many traditional families had returned to Mexico during the repatriation era. A whole generation of more assimilated young men were away in the military for the duration of the war. No sooner had they come home than GI Bill benefits, new housing programs, and the post-war economic boom enabled thousands of upwardly mobile families to chase the American dream to the suburbs.

> "The males that were left in the community for the younger cohort to look up to were those rejected from service, with criminal records, and usually the poorest of the poor . . . 'model absence' was a major turning point in transforming the boy gang into a gang.[10]

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[7] According to Dr. Vigil, the term "boy gang" was first applied to these groups by U.S.C. sociologist E.S. Bogardus in 1926

[8] James Diego Vigil, Barrio Gangs: Street Life and Identity in Southern California; Austin, University of Texas Press; 1988

[9] Joan W. Moore, Homeboys: Gangs, Drugs and Prison in the Barrios of Los Angeles; Philadelphia, Temple University Press; 1978

[10] Vigil, in Gangs in America, Op.Cit.; p. 119

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In a pattern that persists to this day, the young men who emerged as the first generation of gang members were drawn largely from the ranks of the *cholos* -- a class of immigrants whose cultural identity was caught between two worlds.

Cholo is an often derogatory term associated with intense cultural change. In colonial Mexico, the word referred to people no longer bound to traditional Indian society but not able or willing to blend into the dominant Spanish culture. Mexican-American usage is similar, referring to people no longer rooted in Mexican culture, but not yet assimilated into either mainstream Mexican-American or Anglo culture. It is worth noting that many families who hold this status in the U.S. were also considered cholos in Mexico before immigrating.[11]

From a sociological perspective, the formation of these early gangs can be seen as an attempt by alienated youths to assert self-worth and group identity. As such, the pull, and the need, were not especially strong for first-generation Mexican immigrants. They were still relatively secure with traditional agrarian values -- and powerfully motivated by the search for a better life. The formation of gangs, and choloization generally, were second-generation phenomena.

It was the children of immigrants -- either born in the U.S. or brought here at very young ages -- who first turned to gangs for respite from their own inner turmoil. In doing so, they began to claim their lowly cholo status as a badge of pride. They redefined its values, dress codes and rituals as desirable marks of in-group membership; they elevated its home barrios to the status of sacred ground to be held and defended against all comers.

Parallels Between the Emergence of Black and Latino Gangs: Academic studies of gang formation in Los Angeles as a second-generation immigrant phenomenon have focussed on the Latino population. But the analysis may apply equally well to Black gangs. There are many parallels between the origins of cholo gangs in the mid-to-late forties, and the rise of the Crips and Bloods a generation later.

To begin with, both were products of communities only recently arrived in Los Angeles. Neither group was truly new, of course. Just as there had been a significant Mexican-American community in Los Angeles long before the 20's, so the Black presence long predated the population surge around World War II. But, like the great Mexican migration which preceded it, the wave of Black migrants during and after the war all but submerged the

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[11]Ibid., pp. 116-117

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older community, and put a new stamp on the face of Los Angeles.

Like the earlier arrivals from Mexico, Black migrants from the southern states came to urban, industrial Los Angeles from a rural, church-based society. That traditional way of life provided cultural anchors for the first generation, but their children found themselves facing enormous cultural, social and economic cross-pressures.

Clearly, the term cholo is not properly applied to the Black experience. But the concept is highly relevant. As the sixties drew to a close, a whole generation of inner-city Black youths found themselves alienated from the old rural values that had sustained their parents. They were racially locked out of the dominant Anglo culture and, in most cases, economically locked out of the Black middle class. Their futures were as bleak as any cholo's, maybe bleaker.

During roughly the same period, the progress of the civil rights movement in general, and legal assaults on housing discrimination in particular, began to make it possible for middle-class Black families to escape the ghettoized neighborhoods of South Central Los Angeles. The young men left behind were disproportionately those without education and without job skills -- the poorest of the poor.

At this critical juncture, the Watts Riots of 1965 had a catalytic effect similar to that of the Zoot-Suit Riots a generation earlier. Young Black men were viewed by the media, and by the rest of society, in a much more negative, threatening light after the riots. They saw themselves differently, too.

Although Black youths lacked the palomillo tradition as a focal point for gang formation, they now had something even better: full-fledged Hispanic gangs to imitate. Given the emasculating circumstances of ghetto life a quarter-century ago, it is small wonder that the cocky, dangerous style of the Latino gangs had a strong appeal for Black youths. It responded perfectly to the need for repackaging defeat as defiance, redefining exclusion as exclusivity.

The Formation of the Crips and the Bloods: A decade earlier, in the late fifties, Black youngsters (and some white youngsters, too) had begun to copy the cholo style, forming car clubs and gangs similar to the cholo gangs of the era. "The new outfits had names like the Businessmen, the Slausons, the Black Cobras, the Gladiators, and the Boozies, and the membership was made up of guys who banded together for camaraderie and, to a certain

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extent, for protection."[12]

The great transformation began in the mid-to-late 60's with the emergence of the first sets of Crips. The origin of the name is unknown. However "crip" is generally believed to have been derived from "cripple" -- either because the original gang members beat and crippled their adversaries, or because they suffered a similar fate at the hands of others.[13]

The most elaborate version published recently is that the name came from eyewitness accounts of an attack by a small, newly-formed gang on a group of senior citizens in Watts. The gang, formed out of Fremont High School by one Raymond Washington, had a member who was lame and walked with the aid of a stick. One witness referred to the boy as a "crip" -- meaning a cripple. Another variation is that the whole Washington gang carried walking sticks as an affectation. The police and the media picked up the name. Eventually the gang did, too.[14]

Whatever the origins of the name, the new gang developed a reputation that spawned imitators. One of the first offshoots emerged in Compton, founded by a Washington High School student nick-named "Tookie," calling itself the Westside Crips. They added a distinctive element to the Crip image. Railroad bandannas had long been part of the cholo look. The new gang picked up the style and wore blue bandannas. Other emerging Crips sets adopted the color as well, displaying it prominently on clothing of every kind.[15]

Meanwhile, in reaction to -- and for protection from -- the new sets of Crips surrounding their Piru Street neighborhood, local kids formed the first set of Bloods. The word "Blood," which originated from the concept of "blood brothers," suggested the color red. Soon the Pirus, and all the Blood sets which followed, were sporting red bandannas, shoes and jackets.[16]

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[12] Leon Bing, Do Or Die; New York, Harper/Collins, 1991; pp. 148-149 (Bing's account is based on conversations with Deputy Probation Officer Jim Galipeau, a 20-year veteran of gang enforcement with the L.A. County Probation Department)

[13] Interview with Sgt. Wes McBride, L.A.S.O.; October 29, 1991

[14] Bing, Op. Cit., pp. 149-50

[15] Ibid.

[16] Ibid. Bing suggests that the term "blood" originated among Black soldiers in Vietnam. However, it was already bouncing around the streets of South Central Los Angeles in the

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The spread of Blood and Crip sets across the Black community was rapid and near total. Fashion, and the need for protection, respected no class distinctions. Even prosperous, middle-class neighborhoods spawned gangs -- like the Playboy Gangster Crips.[17] Local disdain and hostility between Bloods and Crips quickly became generalized and lethal. It is difficult for outsiders to comprehend the ferocity of the rivalry. Crips have heavily outnumbered Bloods from the beginning. To a certain extent, this numerical advantage is offset by a much higher level of internecine warfare among the Crips.

As Black gang culture spread and grew more elaborate, the debt to cholo antecedents became even more evident. Black gangs imitated the graffiti of Latino gangs and picked up other customs as well. Flying colors, defending turf, hanging with the homeboys, gang-banging, "jumping in" new members -- all these traditions and many other spread virtually intact from Latino gangs to Black gangs. In less than a decade, gang culture in Los Angeles had a superficially homogeneous look and feel.

The Presence of Gangs Transforms the Immigrant Experience: Inevitably, the omnipresence of gangs in poor, ethnic neighborhoods transformed the immigrant experience which had spawned gang culture in the first place. These neighborhoods, because of their inexpensive housing and rapid turnover have always been the natural ports of entry for new arrivals to the city. But today's local reception committee is very different than it was 45 or 70 years ago.

For children arriving in established ethnic neighborhoods -- Mexican immigrants in East Los Angeles, for example -- the pressure to join a gang is powerful and immediate. "For more practical and pragmatic purposes, these newcomers especially have learned youth street attributes as if they were learning about America -- becoming 'assimilated' as one informant stated."[18] In the words of another young immigrant, "[gang-banging is like] showing you are American."[19] Teenagers, especially boys, may adapt to this pressure or they may resist it. They cannot ignore it.

What is true for individual newcomers is doubly true for groups. To arrive in gang territory with no affiliation (or, worse, the wrong one) is to risk the role of perpetual prey.

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early '60's.

[17] Interview with V.G. Guinses, September, 1991

[18] Vigil, in Gangs in America, Op. Cit., p. 127

[19] Ibid., p.125

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Racial, ethnic or linguistic outsiders in a neighborhood rarely find shelter within existing gangs. Such youths are under intense pressure to band together for comradeship, for protection and to stake out their own neighborhood turf.

The combination of powerful role models and intense pressure from existing gangs may explain why the two-generation cycle characteristic of gang formation among Black and Mexican immigrants has accelerated dramatically for more recent arrivals in Los Angeles. Salvadorans and other Central American immigrants did not wait 20 years to form gangs. Arriving in large numbers from the late-seventies onward, they had coalesced into gangs within a decade. Asian youth were similarly precocious. The Vietnamese, for example, began to arrive after the fall of Saigon in 1975, with a second wave of boat people starting in 1977. Ten years later, Vietnamese gangs -- which differ in many key respects from Black and Latino gangs -- were well-established and growing.

Most of the original cholo gang members had probably been born and raised in Los Angeles -- as had Raymond Washington, "Tookie," and other founders of the Crips and Bloods. That was clearly not true for newer ethnic groups. Timing suggests that gang founders in these communities were born in the home country, perhaps arriving in Los Angeles in time for elementary school.

There might be many explanations for this more rapid adaptation to the mean streets of Los Angeles. Some of the newer immigrant groups are more urban in background, for example. Perhaps that speeds assimilation into gang culture. On the other hand, gang formation has also proceeded quickly among recent immigrants from rural Mexico. Whatever the underlying dynamic, the appeal and the threat of existing gangs is surely a major factor.

No one has ever examined why so few Anglo street gangs have emerged in Los Angeles, even though there is no shortage of delinquents among white youths. National researchers have noted that class is important in the formation of white gangs, with many gang members drawn from lower-middle-class and working-poor backgrounds. Perhaps the formation of white street gangs has been retarded by the scarcity of strongly ethnic enclaves within such neighborhoods in Los Angeles. Clearly there is a powerful streak of alienation and defiance at work among groups like the skinheads, which are new to Los Angeles, and motorcycle gangs, which are not. Because the number of youths in such gangs is so small, however, generalizations have little predictive value.

As the gang tradition has grown and multiplied in Los Angeles since World War II, gang violence has risen and fallen in long cycles. As measured by the gang-homicide rate, the previous high-water mark occurred in 1980 and was followed by a decline

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that bottomed out in 1982-4. Violence began to inch up again the following year -- a change attributed by some in law enforcement to the first stirrings of the new drug epidemic that would soon sweep the ghettos.

Many factors have contributed to the current surge in homicides, which took off in 1984-5 and has reached a frightening crescendo in the last three years. Given the historic links of Los Angeles gangs to immigration patterns, however, one of the most significant development may have taken place in the late '60's, when a major new surge of Mexican immigrants began to arrive in the county, followed by succeding waves of Central American immigrants. Fifteen to twenty years later, gang homicides began to explode in Latino neighborhoods. Experts attributed much of the violence to bloody turf battles between established, semi-assimilated Latino gangs and newly-formed gangs of first and second-generation immigrants.

This chapter began with a reference to gangs in late 17th-century London. In closing, it is worth re-emphasizing that the situation of late 20th-century Los Angeles is similar in key respects. Both cities were among the pre-eminent urban magnets of their time for huge rural populations displaced from the land (as was 19th century New York). That status brings a city enormous benefits -- growth, wealth, diversity. It also brings tremendous social dislocations -- including gangs.

No amount of searching will turn up quick or easy answers to these inexorable problems. Yet answers may still be found. As London (and New York[20]) matured and their populations stabilized, gang problems which once seemed permanent fixtures of the urban landscape began to fade, yielding at long last to civic and social pressures. History offers no excuses for complacence in the face of gang violence. But there is comfort in knowing that others have faced similar challenges before us -- and overcome them.

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[20] New York's extraordinary gang problems of the early and mid-nineteenth centuries did eventually abate. There have been subsequent bouts with gangs, however, including the era of Westside Story. At present, New York City maintains that, despite high levels of violent crime, it has no significant problems with street gangs.

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CHAPTER TWO: JOINING AND LEAVING GANGS

Who joins gangs? When, how and why? When, how and why do they leave? The answers to these questions must drive any realistic gang policy.

WHO JOINS GANGS:

CLASS -- Gang membership varies loosely with poverty and with degree of neighborhood social disorganization: Gangs are closely associated with poverty, though the linkage is far from perfect. Not all poor neighborhoods have gangs, while some middle-class neighborhoods do have them. Neither is it clear that the very poorest neighborhoods have the worst gang problems -- nor that gang members are necessarily the poorest people in any given neighborhood. Even in the roughest, most deprived neighborhoods most boys do not join gangs. Of those who do, many Black and Latino gang members come from working class families. White ethnic gangs seem to be rooted in the lower-middle class. Asian gang members do not appear to fit any simple class profile.[21]

Over many years some researchers have sought to refine or replace the concept of class with the concept of social disorganization. By this analysis, it is not poverty alone which breeds problems like gangs, but poverty in combination with a broad range of social ills -- persistent unemployment, destruction of families, high rates of transience, a lack of strong local institutions, weak schools, drug and alcohol abuse, etc. Thus a very poor neighborhood with a solid social structure would be expected to resist the formation of gangs more effectively than a more affluent, working class neighborhood in a high state of social disorganization. This analysis has considerable intuitive appeal for anyone who has witnessed the state of Los Angeles' poorest neighborhoods; but is difficult to prove. It may even be a distinction without a difference. In today's Los Angeles, poverty and social disorganization often march in lockstep. Impoverished neighborhoods with strong, stable social structures are unusual.

The immigrant experience may shed some light on the social disorganization theory. As detailed in the previous chapter, immigrant status is closely related to gang membership in Los Angeles, with the first generation more resistent to gangs than the second. One obvious explanation is that first generation immigrants (and their neighborhoods) are still anchored in the

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[21] Irving A. Spergel, et. al.; Youth Gangs: Problem and Response; School of Social Service Administration, University of Chicago; Chicago, Illinois; April 1990; pp. 76-77

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social stability of their home cultures. As traditional values are undermined by American culture, second generation immigrants (and their neighborhoods) are cut loose from the old cultural anchors long before they can tie up to new ones. The resulting social disorganization is the perfect breeding ground for gangs.

Immigrant status may also explain some of the class discrepancies in gang membership. Most, but not all, new residents are poorer than the rest of the population. They also tend to be well-represented among the working classes, especially in lower-paid, unskilled sectors of the economy. On the other hand, even rapid improvement in a family's economic circumstances may not resolve the cross-cultural conflicts and peer pressures that pull some first generation youngsters, and many more in the second generation, toward gangs.

Whatever the reason, one thing is clear: upward mobility does not automatically extinguish the gang sub-culture. Local experts are unanimous in attributing the spread of gangs within L.A. County and beyond to the steady movement of families out of the barrios and ghettos. The irony, of course, is that many of these families have moved in the hope that removing their sons from the old neighborhoods will rid them of the gang disease. Instead, the sons have infected new neighborhoods. As Riverside and San Bernardino counties will attest, it is easier to take the boy out of the 'hood than it is to take the 'hood out of the boy.

GENDER -- Gangs are primarily a man's world, but women gang members come from even more troubled backgrounds than men: Historically, boys have joined gangs; girls, by and large, have not. Studies in different cities at different times have consistently pegged female participation somewhere in the low single digits.[22] Despite the steady historical trend, some experts on gangs in Los Angeles believe that female gang membership is on the rise here. If that perception is accurate, it is probably a byproduct of the general rise in gang membership rather than a fundamental change in gang composition.

Gangs in Los Angeles remain overwhelmingly male. Of the 100,000+ gang members in the L.A. Sheriff's Department's computerized tracking system (GREAT), 6,500 are female (6.4% of the total).[23] Additional evidence can be found in a recent study of arrests for selling cocaine in Los Angeles. Just 7% of those arrested in gang-related cases were female. In cases that did not involve gangs, more than twice as many arrestees were female (15%) -- suggesting that women continue to be under-

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[22] Ibid., p. 88-89

[23] Statistical summary of the GREAT system provided by Sgt. Wes McBride; Operation Safe Streets; L.A. County Sheriff's Office

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represented in gangs, even compared to their normally low rates of delinquency.[24]

The small numbers of women often belie immense personal problems:

> "... [G]ang women are generally much more problematic than men. They come from homes that are even more troubled than those of the men's. Even among the older women their families are more likely to have a tradition of gang membership. Women are more likely to join the gang because of friendship -- usually with other gang girls -- and are more likely to be 'gang-bound' in their friendships with boys and girls. It is not surprising, then, that a majority of the younger women married a man from the gang."[25]

Just as they have different reasons for joining than boys do, girls also favor a different form of gang. "Females are most likely to be members of auxiliaries to male youth gangs, occasionally to be members of mixed-sex gangs, and least likely to be members of independent or unaffiliated female gangs."[26]

In general, women are believed to join gangs -- and to leave them -- at slightly earlier ages than men. During their time in the gang, women tend to function as "partial and pale facsimiles" of their male counterparts.[27] Traditionally they have been described as sex objects to be fought over and, hence, as precipitators, even manipulators of violence. But researchers have found that much of this stereotypical thinking is wrong. A more complicated dynamic is at work -- one that involves close

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[24]Malcolm W. Klein, Cheryl L. Maxson, and Lea C. Cunningham, "'Crack', Street Gangs, and Violence"; Criminology Vol. 29 (4), 1991

[25]Joan Moore, "Changing Chicano Gangs: Acculturation, Generational Change, Evolution of Deviance or Emerging Underclass?"; in James H. Johnson, Jr. and Melvin L. Oliver, Proceedings of the Conference on Comparative Ethnicity (Los Angeles: UCLA Institute for Social Science Research, June 1-3, 1988); pp. 18-19

[26]Spergel, et. al, Op. Cit., p. 90

[27] Anne Campbell, "Girls' Talk: The Social Representation of Aggression by Female Gang Members," Criminal Justice and Behavior, 1 (1): 139-156

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female friendships and strong limits on promiscuity.[28]

The effect of women on levels of violence is unclear. Asked if there are more girls in Black gangs than there used to be, one young woman replied, "I'll put it like this: if there *was* more homegirls than there really is, I think it would be a lot better. Wouldn't be as much killin', 'cause lotta times a girl *will* try to talk things over, or maybe just get into it with fightin' and stuff. Guys ... want to be seen as the baddest, or the toughest. Or the killin'est."[29]

Female gang members are much less likely than their male counterparts to participate in crimes like felony assault, robbery and theft. On the other hand, gang females are much more likely to commit such crimes than males (let alone females) who do not belong to gangs.[30] In addition, some community workers report sharp rises in vicious behavior among female gang members.[31] The young woman quoted above went on to say, "There's a lot I don't agree with, but I'm still part of a gang, you know what I'm sayin'? And I *will* shoot somebody if it come to that."[32]

The roles young women play in gangs may be complex, but their reasons for joining are not. One researcher listed the harsh prospects that confront impoverished adolescent girls: "(1) A future of meaningless domestic labor with little possibility of educational or occupational escape ... (2) Subordination to the man in the house ... (3) Responsibility for children ... (4) The social isolation of the housewife ... (5) The powerlessness of underclass membership ..."[33]

> "Recent data suggests that the future awaiting gang girls is bleak indeed: 94% will go on to have children, and 84% will raise them without spouses ... One-third of them will be arrested, and the vast majority will be

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[28] Anne Campbell, "Female Participation in Gangs"; in Gangs in America, Op. Cit., p. 163-167

[29] Bing, Op. Cit., p. 88

[30] Jeffrey Fagan, "Social Processes of Delinquency and Drug Use Among Urban Gangs"; in Gangs in America, Op. Cit., pp. 195-210

[31] Interview with V.G. Guinses: August, 1991

[32] Bing, Op. Cit., p. 90

[33] Campbell, in Gangs in America, Op. Cit., pp. 172-173

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dependent on welfare. The attraction of the gang is no mystery in the context of the isolation and poverty that is awaiting them."[34]

If joining a gang is often a desperate bid to evade a grim future, leaving is often a recognition that the future cannot be evaded:

> "For most girls, leaving the gang occurs at the end of adolescence. For many it coincides with the birth of a child and the unwelcome realization of the constraints that this entails... Some find themselves in juvenile institutions, prisons, or drug treatment centers. An unfortunate few graduate to heroin use, and their dependence on the drug overtakes their loyalty to the gang. Others set up stable relationships with men and slip away from life on the streets... Most girls are wise enough to diminish their involvement over time rather than precipitate group sanction by framing their leave-taking as an act of betrayal."[35]

AGE -- The mid-to-late teens and early '20's are the peak years of gang activity: Gangs have always been a phenomenon of late adolescence and, despite eye-catching numbers of children and adults, most Los Angeles observers believe that they still are. A very few boys join gangs before the age of 12 or 13, and a growing number of men remain active into their 30's. But the great majority of gang members in Los Angeles are in their late teens and early twenties. The youngest gang members currently on record in the GREAT system are eight years old; the oldest are over sixty. But 80% of those in the system are between the ages of 15 and 29.[36]

There is conflicting evidence on whether gang members are getting younger or older: On the question of the average age of gang members -- and whether it is rising or falling -- unofficial observation is in conflict with official numbers. According to community-based youth gang workers, "The kids are getting younger. In 1984, the average age of a gang member was 15 years old. In 1987, that age ha[d] gone down to 13 1/2 years old -- in just four years. They are forever getting younger."[37]

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[34] Ibid., pp. 181-182

[35] Ibid., p. 181

[36] GREAT system summary; Op. Cit.

[37] Statement by Milton Green, Program Analyst at Community Youth Gang Services (CYGS); at Coordinating Council on Juvenile Justice and Delinquency Prevention Symposium on Gangs;

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Similarly, a veteran gang member, discussing the generation (of kids around 13) coming up says, "We see these youngsters -- the youngest, handsomest little [@#%!]'s -- just hangin' around. Gettin' younger every year, goin' down further every year. Sometimes you just gotta say somethin' [to try to dissuade them]."[38]

By contrast, many police experts believe that gang members are getting older -- or, more precisely, that because so many gangsters are staying active longer, the average age is rising. Official statistics back them up: the median age of the gang members in the GREAT system is 24; just 1% are under 15; more than 18% are 30 or older.[39] There is considerable artificial aging in the GREAT data base (see the chapter on numbers), so the true median age may be closer to 22. Even so, the discrepancy between police statistics and unofficial estimates is enormous.

To some degree, this may be a case of touching different parts of the elephant. Youth-workers, for example, are increasingly stressing prevention, which brings them in contact with younger boys. They are less likely to work with older, more committed, more dangerous gang members. On the other hand, while many law enforcement observers agree that larger numbers of younger boys are joining gangs, they are naturally preoccupied with -- and more likely to stop -- older gang members more prone to serious crime.

There are two other possibilities as well: Police officers may be reluctant to attach the negative and potentially harmful label of gang member to a youngster until forced to do so by serious criminal acts.[40] Or, more cynically, they may sometimes fail to stop juveniles for less serious crimes because there is little incentive to do so. The juvenile justice system being what it is, police officers believe (not unreasonably) that most kids walk out the door before the ink is dry on their arrest forms.

Despite occasional anecdotes (and press accounts) of gang homicides by children, there is no evidence to support the notion that youngsters are routine participants in gang violence -- nor anything to suggest that older gang members are systematically

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Washington, D.C., June 23, 1988; official transcript, p. 52

[38] Bing, Op. Cit., p. 215

[39] Statistical analysis of the GREAT system; courtesy Sgt. Wes McBride, L.A.S.O.

[40] Interview with Sgt. Wes McBride, L.A.S.O., Operation Safe Streets

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recruiting boys under 16 (and hence untriable as adults) to do their shooting for them. On the contrary, it is quite clear that serious crime peaks in the late teens and early 20's. In the early 80's the average age of shooters in gang homicides was 19 (It is believed to have risen to 20 since that time).[41] In the mid-80's the average age of gang members arrested for selling cocaine was 22. Interestingly, the average age for non-gang arrestees was 27. It appears that gang members -- though they may be getting older -- are still younger than the general population of criminals[42] and/or that they commit more criminal acts at an earlier age.

In some communities gang membership is driven by increasingly powerful intergenerational links: Although adult gang members are more common today, the phenomenon is not new:

> "...[E]ach generation has produced a small number of *veteranos* who retain an active gang identity and affiliation well into their 20's and 30's. Many of these have established what [researchers] have termed a 'cholo family' household. In such households, one or both parents continue to participate more or less overtly in illicit activities while raising their children. Their children are thus virtually preselected to associate and unite with other troubled and disaffected barrio youths in emergent cliques, often at far younger than typical ages."[43]

Among Black gangs, veteranos are called "O.G.'s" -- for "original gangsters" or "old gangsters." They, too, form households that serve as incubators for a precocious new generation of gangbangers. One reporter described a domestic scene in such a home:

> "[S]ix young men played dominoes and a happy, burbling toddler moved unsteadily around our chairs. She was holding a crayon and somebody gave her a piece of cardboard to scribble on. When she was done one of the guys, a seventeen-year-old with bright red rubber bands [blood colors] in his corn-rowed hair, one week out of

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[41] Maxson, Gordon, and Klein; "Differences Between Gang and Non-gang Homicides," Criminology, 23:209-222, 1985

[42] Klein, Maxson and Cunningham, "Gang Involvement in Cocaine 'Rock' Trafficking", Summary/Final Report, Center for Research on Crime and Social Control, Social Science Research Institute, U.S.C.; p.19

[43] Vigil and Long, in Gangs in America, Op. Cit., p. 67

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> Juvenile Hall, leaned over to look at what she had drawn. It was only a mass of unconnected green squiggles, but he broke into a big grin and scooped her up, kissing and hugging her. 'Check this out, y'all! She made a *K* and a *C* -- she know how to write 'Kill Crips.'!"[44]

For youngsters like this one, gang membership is less an option than a destiny. They often reach their destination before they even realize they're on a journey:

> "Been in since I was eight. I was just like born into it, you know? I got two O.G. cousins and one cousin about to be O.G. ... When I was born it was like, 'he gonna be from my 'hood,' and when I got eight they put me on the baby homies and that was just it. At that time I didn't even know what was goin' on, I just like got beat up. Just fought back. My cousins took me up to the park one day, see, and we got drunk and I got hit and I fought back. That's how I got jumped in -- the old-fashioned way. And then I was from my 'hood."[45]

Such are the origins of the eight, nine and ten-year-old gangsters who occasionally make a splash in the press. They are a real and growing phenomenon but, fortunately, still a rare one. The GREAT system (which undoubtedly understates their numbers) currently lists just seven youngsters between eight and ten.[46]

With rare exceptions, gang membership still begins in early adolescence or later: Even for those not born into it, serious gang identification can begin as early as 2nd grade. However, true gang membership usually begins in the pre-teen years or later. Boys in the 10-13 age bracket who hang around gang members and aspire to membership are often referred to by affectionate but dismissive nicknames like "peewees", "juniors", "li'l whino's" or "l'il homies."[47] These youths typically begin to form their own gang cliques between the ages of 12 and 15. The cliques are strongest and most active when their members are between the ages of 15 and 18, after which they begin to drift apart. In recent years, however, the traditional age of dissolution for gang cliques (18-21) has extended well into 20's.

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[44] Bing, Op. Cit., p. xii

[45] Ibid., p. 20

[46] GREAT, Op. Cit.

[47] Draft L.A.P.D. Gang Overview -- publication forthcoming

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PERSONAL BACKGROUND -- Family and education are powerful influences on gang membership: Like class, personal and family background is an indicator rather than a determinant of gang membership. It is not uncommon for one brother to enter a gang while another, raised in identical circumstances, does not -- the movie Boyz N the Hood dramatizes just such a situation. Every school points proudly to students who, despite facing profound adversity, have resisted the temptations of the street to shine in the classroom and in life. By contrast, a Los Angeles jury recently sentenced to death a bright, articulate young man, raised in great comfort by loving adoptive parents, who nevertheless dropped out of his exclusive private school and embarked on a ferocious life of gang violence.[48]

Except, perhaps, for children born into O.G. households, family is not destiny; yet it remains the most powerful influence in every young person's life. Gang members in Los Angeles tend to be "raised in poorer homes, disproportionate mother-centered family situations with more siblings and problematic impoverished economic pressures (unemployment and welfare)." Male role models, if they exist, are often transient. Parental neglect and abuse are also frequently a part of family life. "... [E]arly childhood indications of deviant activities (e.g., running away from home, petty shoplifting, and street fighting) stem from such conditions."[49]

In recent years, drugs and worsened economic conditions have put even heavier pressure on already fragile families. One pair of gang veterans interviewed by Leon Bing lament the results:

> "... [A] lotta these youngsters today have no resources, no guidance. There just isn't anyone around at home who really gives enough of a damn about 'em to care what the hell they do. Hell, look at their environment ... when you wakin' up to the same [@#%!] every day, the whole routine cycle of your life ... you wake up steppin' over people on the floor of your house, Mom's smoked out, she don't care 'bout nothin', for sure not you. You roll up out on the street, same

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[48]Tina Griego, "Death urged for killer who grew up in wealth, but led gang"; L.A. Times, October 22, 1991, p. B3

[49] James Diego Vigil, "Street Socialization, Locura Behavior, and Violence Among Chicano Gang Members"; in Violence and Homicide in Hispanic Communities, edited by Jess Kraus and Armando Morales; Washington, D.C.; National Institute of Mental Health; p. 3

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ol' homies. And no father around at all."[50]

Difficult family conditions alone do <u>not</u> explain gang membership: The explanation is not so easy or neat as misery and neglect at home leading children to seek solace in gangs. For instance, the same pair of gangsters quoted above on the average gang member's home life have quite a different tale to tell of their own backgrounds -- both parents working, struggling to pay for private schools so their boys will be safe from the dangers looming all around:

> "I guess you could say that [we] were latch-key kids. It was like, Pop's workin', comin' home, maybe ten, ten-thirty at night, and Mom's workin', too, leavin' at six in the morning'. So I see 'em, you know what I'm talkin' about, but I don't see 'em ... I was goin' to private school, playin' football, doin' the whole scholastic thing. But when I'd get home, it was *on*. Back to the 'hood, knock off my little homework and hit the corner. Go up to the park and hang with the homies -- people I love, you know? That's how it was. I'd do all the stuff I was gonna do, put in whatever work, but by the time Mom comes home, all she sees is me in bed. She don't know. I mighta just did this, mighta just did that, but if she hears about it, she like, 'Hell no! Not my boy!'"[51]

Bing also recounts the story of Gloria, a working mother who <u>did</u> know, who cared desperately and fought to keep her son -- a would-be doctor who skipped two grades in school -- out of the gang. "He told her to mind her own business, and when she continued to plead her case he looked at her and said, 'Don't make me hurt you.'" The boy was dead at sixteen.[52]

Having a relative in a gang is a sure sign of trouble, but parents have little influence in the lives of most gang members: Except for the generational bonds of gang membership in veterano and O.G. households, the parents of most new gang members play little part in their teenagers' decision-making -- either through ignorance, inattention, or powerlessness. Survey data confirm that "... parents are a negligible factor in [these kids'] lives

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[50]Bing, *supra*, p. 214

[51]Bing, Op. Cit., pp. 213-4

[52]Bing, Op. Cit., p. xiii

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as gang members or as adolescents."[53] The question always is why. Each of the stories above is repeated with thousands of variations each year in Los Angeles -- often enough to confound simple predictions about what kinds of families can be sure their kids are safe. Still, some patterns remain -- absent or abusive fathers; alcohol and drug abuse; large, impoverished families sharing cramped quarters. For all these reasons -- and often just because families cannot escape gang territory when adolescent rebellion turns dangerous -- boys begin to find their lives on the street instead of at home.

Beyond such general observations, there is very little solid data about the personal backgrounds of gang members in Los Angeles. One of the few certainties is that having a relative in a gang -- a cousin, brother or uncle, let alone a father -- is a sure sign of trouble. Half those who join Chicano gangs have at least one relative in a gang; a third have three or more.[54]

Gang members tend to do poorly in school, but that does not necessarily mean that they place no value on it: It is widely acknowleged that gang members drop out of school in large numbers. Indeed, their failure and discomfort in school are presumed to be major factors driving them into the arms of gangs. On the other hand, a recent press account mentioned a sixteen-year-old gang member who, warned that he must cover his tattoo or leave school, threatened gang retaliation if he were forced to leave.[55] This young man's determination may have had more to do with <u>which</u> school he would be forced to attend than with a sheer love of learning. Still, he wanted to be there, and that is not unusual. There are survey data which indicate that school is important to most gang members -- and large majorities say that school is important to the gang.[56] Why school matters is another question. Like many teen-agers, gangs may value school more for its social structure than for its educational function.

Whatever their feelings about school, gang members rarely excel -- and there may be good reasons for their failure. Twenty years ago researchers found that gang members scored far below normal on standardized I.Q. tests (an average of 84 compared to the norm of 100). Less than 4% were above normal, and "[o]ne

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[53]Jeffrey Fagan, "The Social Organization of Drug Use and Drug Dealing Among Urban Gangs"; <u>Criminology</u>, Vol. 27, No. 4, 1989; p. 657

[54] Moore, in <u>Proceedings of the Conference on Comparative Ethnicity</u>, Op. Cit., p. 8

[55]<u>L.A. Times</u>, November 5, 1991; p. B-1

[56] Fagan, Op. Cit., pp. 656-7

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third of the boys [had] scores that would dictate their placement in special education classes [a statement that might not hold true in these days of greater skepticism about such tests and reluctance to use them for classification purposes]."[57]

In the end, the personal and family circumstances that produce gang members are as obvious as they are elusive. They are conditions as old as urban society -- conditions that have been features of life in gang-infested parts of Los Angeles for decades:

> "The youths who created the cholo subculture and those who have maintained it have been excluded by distance and discrimination from adult-supervised park programs. They have fared poorly in school because of language and cultural differences and limited encouragement from school personnel who expect little of them and parents who often are preoccupied with day-to-day economic crises. It is no wonder that the streets have held such attraction for these youths."[58]

WHY AND HOW DO YOUTHS JOIN GANGS?

On one level -- the level of pragmatic calculation -- a young man living in a gang-dominated neighborhood can find many reasons for joining a gang: for protection; for adventure; for parties; to learn a trade (crime); to make money (through drug dealing); to meet girls; because it is an old tradition in the community; because your friends and people you admire belong; because you love your neighborhood and feel a sense of quasi-patriotism for it; the list is long and seductive.

One fourteen-year-old Latino summed up his own very practical reasons: "It was either get your ass kicked every day or join a gang and get your ass kicked occasionally by rival gangs. Besides, it was fun."[59] A young Black man serving time in state prison put it this way: "It's like a family to me, they like brothers. The attention, the name, the glory. To escape reality from my family ... to seek adventure ... to find something different in life."[60]

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[57] Malcolm W. Klein, Street Gangs and Street Workers, 1971

[58] Vigil and Long, Op. Cit., p. 60

[59] Vigil, Barrio Gangs: Street Life and Identity in Southern California; Austin, University of Texas Press, p. 154

[60] As quoted in Jerome H. Skolnick, Gang Organization and Migration, published by the State of California Department of Justice, 1989, p. 17

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Gangs are perfectly designed to meet deep pschological needs for outcast adolescent males: If asked, the great majority of gang members would probably cite motives such as those listed above. Academic researchers maintain, however, that the true motives run much deeper -- on a level far below conscious articulation. Those who join gangs are struggling with the classic, desperate needs of adolescence: for an end to childhood; for acceptance as an adult; for sexual, social and economic identity; for status and success; for respect and a sense of belonging.

For many youths the normal avenues for achieving these things -- school, work, family, etc. -- are simply not available. Gangs, on the other hand, are more than available -- they are aggressively, enticingly omnipresent. The key to the allure and the staying power of gangs is that their traditions have been crafted by experts (prior generations of similarly situated youths) to satisfy precisely those needs which ache most powerfully in the souls of outcast adolescent males.

Even the rough, sometimes brutal, physical initiations that are typical of gang life can meet important emotional needs. Like harsh coming-of-age rituals in many cultures, they may help boys raised in female-dominated households to resolve questions of gender identification. They constitute an irreversible passage from mother and childhood into the adult, virtually all-male world of the streets.[61]

Gangs can be aggressive in recruiting but often don't have to be: Because adults and outsiders tend to be aware of the long-term negative consequences of gang membership there is often an unspoken assumption that potential gang members are also aware. From this flows another assumption: that boys must be recruited, pressured or threatened into gang membership. It is true that many youths are coerced into joining gangs. But observers on the scene report that the opposite is more often true. Crime and its consequences are remote, unreal considerations for most boys. For many, joining a gang is not about deciding, or being forced, to enter despite negative consequences. It is about seeking a way into the charmed circle -- it is about winning acceptance. "[Why do people join gangs?] Just to be in, you know what I'm saying ... just to be part of something."[62]

Most gangs probably engage in some form of active recruitment. But many, especially in areas where the tradition is well established, simply do not need to do much. In such neighborhoods "..falling in with a gang [comes] as naturally to

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[61] J. D. Vigil, "Group Processes and Street Identity: Adolescent Chicano gang members"; Ethos, 16(4), pp.421-445

[62] Skolnick, Op. Cit., p. 17

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[them] as hanging out at malls comes to suburban kids."[63] Individual aspirations and peer pressure take care of most of the recruiting. As with any successful courtship, the interest is truly mutual.

Threats play a part, but not always in the most obvious way. Many boys join for protection from constant beatings at the hands of gang members and/or others. But they are not necessarily beaten to force them into a gang. More commonly, fights are simply a fact of life and joining a gang is an effective way to limit (and/or to win) them.

Joining -- and remaining in -- a gang involves a series of physical confrontations: Beatings are a sort of gantlet that boys must run in order to attain membership. Here's the way a 14-year-old from South Central describes it:

> "Sometimes you get beat up in your own 'hood [neighborhood]. 'Cause the O.G.'s, they get drunk and they look at you and, like, 'Let's see if this little nigger down [committed, tough],' and bam!! You have to head up with 'em. That happens to me all the time, 'cause I hang around with my O.G. homies at night... And you can't cry or nothin', 'cause then you busted, then they dis'[disrespect] you -- say, 'Go on, coward, get the [@#%!] out of here.'"[64]

These kinds of fights are a test, a screening device to determine which boys -- among the many who vaguely aspire to membership -- are worthy, and to drive off those who are not. Far from dragooning boys into the gang, it is often a case of many called but few chosen.

Classically, new members were always "jumped in" through a formal beating. That tradition is still alive, but membership can also come in many other ways.

Joining a gang, and succeeding within one, is a process of winning acceptance from other gang members -- of building a reputation: As reflected above, gaining membership is basically a matter of earning the respect and approval of one's elders -- of proving one's toughness and devotion to the gang and the 'hood (concepts which merge in gang life), of building a "rep" (reputation).

One O.G. sheds light on this process while describing how he and his friends might try to dissuade especially young boys from

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[63] Bing, Op. Cit., p. xiv

[64] Bing, Op. Cit., pp. 49-50

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getting into the life. Here's how the 13-year-olds respond:

> "And they look at us like, '[@#%!], I wanna be like y'all, and you tellin' me I ain't got what it takes?'... And that make 'em want to go out and *prove* themselves."
>
> Prove themselves with guns? ...
>
> "Not always. Sometimes they prove themselves with baby rituals. Just bein', like" -- his shoulders lift in a delicate shrug -- "you know, bad. All depends on what's goin' on in your particular neighborhood, or your particular block..."[65]

Boys, conscious of the code, anxious to impress and to win acceptance by building a quick "rep" are probably the foundation for sensational stories about gangs requiring murder as the price of admission. There are gangs in which shooting an "enemy" (as opposed to a random murder) is the only way to advance to higher levels, but "jumping in" rituals are far less extreme. In many cases, gaining acceptance and admission is better thought of as an ongoing process than as a single event. It can be accomplished through the initiative of the would-be member. It can be finessed through the intercession of a relative in the gang. It can happen just by keeping steady company with the gang.

Bing recounts the story of a boy who liked to hang around a group of young gang members and suddenly found himself caught up in an ambush. Instinctively, he stayed with a fallen friend. The friend died. The boy was wounded.

> "That action put ...[him]... in the gang automatically. The thing was, he wasn't so sure he wanted in, so he thanked them and told them that he figured he'd stay on his own. But the decision was no longer his to make. The homeboys told him, 'If you don't wanna be in it, you shouldn't be 'round it. But you chose to hang 'round it, and by doin' what you did, you showed us, right there, that you be loyal to us. So now you one of us.'"[66]

Not every inadvertent entrance is so spectacular. In many areas, gang membership is simply a function of prolonged hanging around with the neighborhood's other boys of similar age. Over

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[65] Bing, Op. Cit., pp. 215-6

[66] Bing, Op. Cit., pp. 225

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time, through a gradual testing of limits, and through contact with older role models, parental and social restraints are dissolved. At the end of the process, many boys find themselves actively involved in the neighborhood gang -- regardless of their intentions or desires when they first began hangin' with the 'homies.

Popular culture and the media probably play a role in gang recruitment: One final, and immeasurable, contributor to the process of gang recruitment and acculturation is popular culture. L.A. gangs have become fashionable in recent years. Gang styles have had a big impact on popular music, language and clothing -- beginning in the Black community but moving outward in a steadily widening circle of cultural influence.

No one knows how long this particular fashion will endure. Nor can anyone say with certainty that it has helped draw more kids into gangs -- either by directly creating more "wannabes," by weakening youngsters' normal resistance, or by undercutting negative messages from parents, school and the media. But those who work with young people believe that popular culture does help legitimize gangs -- making them much more difficult to fight.

Youth workers also point out that this process has been amplified by considerable media attention to gangs. Even when such attention is negative, as it usually is, it can have the unintended effect of glamorizing gang members -- feeding their own romantic view of themselves as notorious, powerful and fascinating. Whether this, too, aids in gang recruitment, no one can say. But many believe that it does.

LEAVING THE GANG:

Virtually nothing is known with certainty about the process of leaving gangs except that it happens. In talking to people who work with gangs in Los Angeles -- police officers, probation officers, case workers, recreation organizers -- it is striking how many speak from personal experience. As youngsters they joined; they lived the life and they quit. Now they lead what even the most skeptical observers would acknowlege to be exemplary lives. How and why did they, and others like them, leave?

"Youths leave gangs for a great variety of reasons, including the the influence of a girlfriend, interested adults, and parents. Often a kind of battle fatigue sets in. Frequent arrests and incarcerations also take a toll on the youth and his family's finances. His family may move out the neighborhood. The gang [or his set] may splinter or dissipate. As the youth reaches the end of adolescence, he may feel himself ready for a

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job and settling down if alternate roles are open to him."[67]

Here's a detention camp inmate, a second generation crip, who has begun to think about quitting the gang. Though only sixteen, he has already been active in his set for eight-years:

> "There's some people in here, like, they just don't want to touch reality. They think the 'hood is everything. They think the 'hood is gonna take care of them the rest of they life. They damn near *worship* the 'hood. Like, 'My homeboy gonna kick me down lotta money, he gonna do this, he gonna do that ...' What about when all that run out? When it all run out what you gonna do? You gonna take it on down to Skid Row, build you a box house, that's what you gonna do. I just look at it, like -- there's my gang life, and there's my real life ... I'm startin' to pull away, I guess ... And the funny thing is, I don't really know how I feel about that. One thing for sure, I'm not feelin' as good as I maybe should be about it. It's right, pullin' away, you know? But I think I'm gonna miss it."[68]

It is probably unusual for a gangbanger to be thinking so graphically about the future at sixteen. Whatever a boy's reasons for leaving, the separation process traditionally begins in earnest between the ages of 18 and 21 -- around the time a gang member's peers are graduating from high school, marrying, taking jobs, joining the military or otherwise moving into the adult world. Eighteen also marks a dividing line in the criminal justice system. Those who continue in a life of crime are treated and sentenced as adults. They face lengthier terms of confinement in less inviting facilities.

Fewer youths than in the past are leaving gangs in their late teens: Despite social and legal pressures, it is clear that larger and larger numbers of youths are failing to exit at the traditional time. The age distribution of gang members on file with the GREAT system -- median age of 24, with 19% of the total file 30 or older -- offers dramatic proof of the trend.[69]

> "Three interdependent factors may account for the apparently increased ages of gang youth. First, a 'real' aging of the youth gang population may have

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[67] Spergel et. al., Op. Cit., p. 100

[68] Bing, Op. Cit., p. 147

[69] GREAT analysis, Op. Cit.

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occurred along with that of the general population over the last three decades. A second explanation may be the changing structure of the economy and the loss of desirable unskilled and semi-skilled jobs. It has become increasingly difficult for drop-out and unskilled gang youths to leave the gang and graduate to legitimate job opportunities that offer a modicum of social respect and income. Third, increased illegitimate opportunities, particularly in the drug market, may have induced older youths and younger adults to remain in gangs and to modify their structure to distribute drugs."[70]

Availability of work is the key factor in exiting gangs: In interview after interview, gang experts from every field stressed jobs as the key to leaving the gang. Nothing can make a young man quit before he is ready. But if no work is available at the critical moment, he may not quit even when he is ready. They also stressed that jobs are extremely difficult to come by for high school dropouts with gang tattoos and criminal records.

Los Angeles has long been a magnet for poor rural immigrants precisely because its economy has created a steady supply of jobs for unskilled and semi-skilled labor. Disregarding the current recession, the city still creates an unusually large number of these jobs but fewer than it used to. Competition for such work is fiercer than ever and the pay, relative to the cost of living is shrinking. This is the job market that maturing gang members face; hardly one that will seek them out and drag them into adulthood. At best, strong personal motivation and the help of friends are required. At worst, nothing will avail.

To some degree, it may be easier for recent immigrants to escape through legitimate work than for members of older Black and Latino gangs. First generation immigrant families are often resigned to starting at the bottom of the economic ladder, which is not to say that they enjoy the experience. For native-born youths, however, personal and family expectations about work are much higher. It can be psychologically devastating to accept the low pay and even lower status of the few jobs that are available. Pay and status become greater issues the longer a gang member delays his exit and the more successful he has been inside. It is one thing for a 17-year-old to start his work career with a sub-minimum wage job. At twenty-five, after years of leadership (and, perhaps, some degree of financial success) it is a different, more difficult proposition.

Illegitimate work also causes many youths to leave gangs: In some ways it is misleading to say that older gang members can't

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[70] Spergel et. al., Op. Cit., p. 88

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find jobs. Legitimate jobs can be almost impossible to find, but a job need not be legal to permit an exit from the gang. Many young men drift away from their gangs as they become more deeply engaged in drug dealing and other criminal pursuits:

> "Like ... some of them [fellow gang members] see themselves as high rollers ... they done got too old, so they not really into gang banging anymore. It's the younger generation that's comin' up. The people my age [20], they kickin' back now, they out selling drugs and kickin' back now; they lookin' to the future. You got the people under us comin' up and they doin' the drive-by's and all that because they trying to make a name for theyself. They tryin' to make a reputation ... The reputation helps them out ... movin' up the ladder."[71]

Seen in this light, gang membership can be seen as the illegitimate equivalent of a high school diploma -- good career preparation for a move into drug dealing or some other criminal enterprise upon graduation. By all accounts leaving the gang in this way is increasingly common. Obviously, such exits, though they do permit youths to move into a warped version of adulthood, have profoundly negative consequences for society as a whole.

Leaving a gang can be harder -- and riskier -- than joining one: Leaving the gang is not only difficult, it can be dangerous. Because the emphasis on loyalty is so strong, leaving can be seen as betrayal -- and can incur sanctions. In the classical tradition, members were "jumped out" with the same kind of physical violence that jumped them in -- or worse. While this kind of formal exit process does not appear to be common today, openly or abruptly leaving a gang remains a risky business.

Counselors approached by gang members who want out but are afraid to leave often advise them to get a steady girlfriend, start a family, enroll in school, try out for a sports team, or get a job. While these activities are not encouraged by the gang ethos, they are all recognized as legitimate demands on a man's time. As such they can provide a graceful cover for gradually dropping out. The same is true for boys trying to resist the pressure to join in the first place. Gangs frequently accord a grudging respect to success in school, athletics, work, even love. By contrast, the kid who stars in none of these areas is perceived -- usually quite accurately -- to have no good reason not to be hanging out with his buddies.

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[71] Jerome H. Skolnick, Gang Organization and Migration, published by the State of California Department of Justice, 1989, p. 7

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Ironically, the danger of leaving a gang is probably greatest for those who have been most successful and visible within it. They cannot simply fade away unnoticed. Even if their colleagues acquiesce, they remain (not unlike gunfighters in the old west) prestigious targets for rival gangs -- especially those looking to build a "rep." For true "ghetto stars," going to prison or relocating may be the only realistic alternatives to staying active or branching out into a full-blown criminal career.

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CHAPTER THREE: HOW GANGS WORK AND WHAT THEY DO

When embarking on a discussion of gangs, it is important to understand that they operate within a powerful subculture that exhibits great resilience and resistance to unwanted change. Gangs are nearly homogeneous in terms of age, class, education, sex, geography and ethnicity. They are bound by ties of family, friendship and neighborhood. They offer their members strong psychic (and financial) rewards at an age of great need and in settings of extremely limited options. They are non-hierarchical, decentralized and subject to no outside authority save superior force -- and even force has its limits, because gangs value conflict and draw strength from confrontation.

New gangs just getting started (or old ones getting a foothold in new territory) can sometimes be wiped out by swift, decisive action from law enforcement and the larger community. But to speak of quickly "defeating" or "driving out" or "cleaning up" an entrenched gang sub-culture is fatuous. Structures built up over decades are not torn down in a day. To eliminate gangs in Los Angeles County any time soon is an unrealistic goal. Just to bring them under control will take years of consistent, intelligent, expensive effort. Neither task can be accomplished without a thorough understanding of what makes gangs work on a practical level.

GANG VALUES:

It is no accident that gang styles of music, language and clothing have made a big impact on popular youth culture. These things are extensions of gang values and, taken on their own terms (not those of adults, which is key to the attraction) gang values are the stuff of teen-age fantasies.

Like other perverse subcultures with great appeal to youth -- punk rockers, for instance -- gangs offer a distillation of the dark side of adolescent rebellion. In theory, at least, there is nothing half-hearted about gang defiance -- no time-outs for good behavior, no retreats into child-like submission or dependency. Their revolt is total; it confronts and confounds adult authority on every level -- sex, work, power, love, education, language, dress, music, drugs, alcohol, crime, violence. As icons of popular culture, gangs not only represent a powerful group identity utterly inaccessible to adults, they are surrounded with an appealing aura of outlaw danger. That the boring, brutish reality of gang life rarely matches the fantasy does not diminish the power of the myth.

A gang constitutes a type of extended family: Beyond the seductive symbolism of rebellion, to enter a gang is to choose a way of life. Members subscribe to a self-conscious code of

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values that require physical, verbal and behavioral expression. The uniformity of style within most gangs is far from accidental. It reflects a deliberate emphasis on group unity and a clear demarcation between those who belong and those who do not.

> "To enhance egalitarian relations with the clique and provide a readily identifiable image to outsiders, behavioral role models and norms prescribe a 'cholo front' for gang members ... This set of role prescriptions includes standardized clothing styles, nicknaming practices (clique members often will not know the formal names of their fellows), tattoo and graffiti techniques, speech practices, and even distinctive patterns for face and hand gestures, body posture, and walking. Members are also expected to employ a particular terminology in addressing one another, with terms such as *carnal* (suggesting blood relationships) and *camarada* (comrade) used to reinforce the bonds of loyalty and friendship prescribed by gang ethics."[72]

The familiar symbols of gang activity -- clothing, graffiti, hand signs, tattoos -- are merely the visible signs of a group identity:

> "Flaggin'. Saggin'. Braggin'. [throwing signs, wearing low-slung pants, and boasting -- these things are about] Lettin' people know you're part of something that is powerful. Is mysterious. Is deadly ... Understand, to you, yourself...it's none of these things. Those words don't apply to you, because to you, it's just a bunch of cats who you love and who you dig, gettin' together. But to people who look upon you, people from the outside, you're this frightening mob who has the potential -- at any time -- to get loose and wreak havoc on their world. So you have to be contained. And you resist, and you have friction."[73]

This "powerful, mysterious, deadly" group identity is built on the simplest of bases: the people and the territory of the home neighborhood. The terms "barrio" and "'hood" among Latino and Black gangs, respectively, have double meanings. They encompass not only the place but the people. In a world of

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[72] J.D. Vigil and J.M. Long, "Emic and Etic Perspectives on Gang Culture: The Chicano Case"; in Gangs in America, Op.Cit.; p. 64

[73] Bing, Op.Cit., p.243

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isolation, gang members belong to, protect, and are sheltered by both. This engenders a profound loyalty that is the foundation of all gang values.

> "I tell you somethin' -- I don't feel connected to any other kids in this city or in this country or in this world. I only feel comfortable in my 'hood. That's the only thing I'm connected to, that's my family. One big family -- that's about it."[74]

This powerful sense of family, of loyalty, can sometimes merge the gang with its neighborhood -- even non-gang members -- at moments of collective emotion, like gang funerals.

Gang life stresses friendship, manliness and hedonism: Belonging to such a "family" instills not only loyalty but trust and identity. The following passage explores some of the values implicit in belonging to a gang. While the subject is Latino gangs, the points made apply equally well to Black gangs:

> "The cholo subculture that has evolved ... places a high value on friendship -- often expressed by employing fictive kinship terms to designate friends -- and "partying." Responsibilities beyond one's friends and family are not emphasized. Scholastic achievement is devalued and a job is praiseworthy only if it requires little effort or pays enough to finance one's need to party, or -- best of all -- both. Alcohol and drug use is valued for enhancing the fun of partying and as a means of demonstrating *machismo* (manliness), for example, by drinking substantially more than others. Machismo has been selectively reforged to emphasize sexual prowess, fighting ability, and a quick readiness to fight. Corresponding attributes of responsibility in the machismo of Mexican culture largely have been shed, except in terms of defending one's honor and family and backing up friends in altercations. Adult authorities -- school officials, police, and to a lesser degree even parents -- are regarded with suspicion and latent hostility, which in occasional stressful situations erupts into violent encounters over restrictions imposed on the youth's partying."[75]

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[74] Bing, Op. Cit., p. 49

[75] Vigil and Long, Op. Cit., pp. 60-1

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Gangs offer marginal youths alternative routes to status. Territorial imperatives, supersensitive pride and a cultivated "wildness" all cause an emphasis on fighting:

> "For barrio youths who despair of succeeding in school and thus can only dream of (rather than plan for) productive adult careers, cholo subculture rejects traditional American and Mexican-American models of success, and in their place offers an arena for status attainment and enhancement in which these youths are capable of functioning. The barrio gang subculture draws its core participants from among the most marginalized of these cholo youths. They join the gang seeking a sense of belonging. Gang membership affords a clearly defined set of peers with whom friendship and familylike relationships (*carnalismo*) are mandated. The egalitarian ethic prevailing within the gang provides a haven from insult to supersensitive pride. Machismo in combination with *locura* (literally, craziness or wildness) as core values of the gang motivate violent conflicts with outsiders, especially rival barrio gangs. These conflicts often focus on protecting the streets of the home barrio from encroachment by other gangs and on violating other gangs' claims to similar control of their own barrios. Such fighting, in turn, provides gang youths with opportunities to release aggressions and hostilities engendered by their marginal upbringing. Fighting and frequent partying together are the most noticeable activities of the barrio gang."[76]

On that latter point, virtually every close observer of gangs agrees: Gangs are about many things, especially rebellion against established authority, values and expectations; and gang members do many things, with old-fashioned "hanging out" at the top of the list; but the core activities of the gang are partying and fighting.[77] These are the things that make gangs both frightening and appealing to younger boys. These are the things

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[76] Ibid.

[77] Although fighting and partying are core activities, no one should assume that gang members spend most of their time at either task, nor at crime. Idleness is the typical mode. Here's Malcolm Klein's assessment after a lengthy study: "What gang members do most is nothing. Members typically sleep late, wander around and gather to watch the action. The only thing more boring than being a gang member is being a researcher watching a gang member." Quoted in the Los Angeles Times, February 17, 1992, P. B3

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that build and define group loyalties. Even criminality, which is probably the public's main perception of what gangs are about, is less a core value of the gang than a byproduct of the emphasis on partying and fighting.

Concepts of Masculinity and "Wildness" are key to gang psychology: The concept of masculinity which drives these activities has obvious roots in Mexican machismo and Black folklore (for example, the recurring figure of the dangerous, rebellious, Stagolee). Yet it is also easily recognizable to any student of mainstream American culture.

Except for a strong overlay of group loyalty, the gang's ideal man is virtually identical to the romantic myth of the gunfighter of the old west -- a two-fisted, hard drinking, dangerous man who is quick to avenge any insult; he lives and dies by violence, with his exploits rousing fear and respect in the hearts of men -- and, in the hearts of women, fear and desire. Untamed by any authority, untrammelled by anything like a job or family, above (or outside) the law, he nevertheless obeys a code of manly honor; and, when the little town is threatened by ruthless outsiders, he is a far more potent protector than the puny forces of law and order.

Such a man has within him an uncontrollable element of wildness. He takes risks that appear foolish to others, yet survives them because it is his nature to risk all and to survive. That is what makes him dangerous, that is what makes him a man. Obviously, precious few 17-year-olds can articulate such a standard, much less live up to it, but so many youths strive for the element of wildness -- locura -- that it is a key aspect of gang psychology.

> "The gang value of locura encourages both ... [heavy drinking and fighting]. Most gang members selectively and periodically act out in loco fashion -- to deter potential attacks, for example, or to intimidate others into accommodating their wishes. Many cliques, however, contain one or more individuals whose loco behavior is much less episodic and situationally employed. Although valued for their deterrent and intimidating effects on outsiders, such *vatos locos* (wild guys) sometimes become -- by too frequently 'starting trouble' -- an unwanted liability for the clique."[78]
>
> In more colloquial language: "I'll tell you though, some of the guys I know, they're born messed up

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[78] Vigil and Long, Op. Cit., p. 64

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already. They crazy, like ... just automatically crazy. They don't take drugs or nothin', don't drink -- but they just loony. They just -- all they thinkin' about is killin' somebody. ... just always want to do somethin' wrong. They like to stay in trouble -- lotta guys like that. And sometimes it rubs off on you when you kickin' with 'em."[80]

Gangs provide a sense of belonging that is more important than any guiding set of values or precepts: Bottom line, why do young people like the man above, who recognize the danger so clearly, stay in gangs?

"Well, a gang, it like gives you something, it gives you something on the inside. You feel, when you join a gang, you feel like somebody. Especially in South Central, people feel like if you not a movie star or a professional sports player, you not nothing. And it's too hard to start a business, like Famous Amos or somebody. If you not a movie star or something like that, you not nothing. So a gang, it like gives you something. You hanging out with the fellas; you accepted; you somebody -- it gives you something on the inside."[81]

Gangs operate by an unwritten code of conduct: The sense of belonging to something bigger than oneself is more critical to gangs than any formal or informal set of rules. But it is very important to remember that such rules do exist. Individuals are driven by different motivations, and actions may look savage and unpredictable from the outside, but through it all runs a well-understood code of conduct. Here is an O.G.'s explanation:

"...[T]aking the picture overall, you have to understand that out of all this seeming gang chaos whether you're a warrior or a hustler, there *is* an organized line, an unspoken constitution that runs through the communities, with laws and respect that we adhere to. There *is* a code of ethics, an etiquette. ...Respect is not negotiable. You get and you give, but you don't get respect unless you give it."[82]

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[80] Bing, Op. Cit., pp. 145-6

[81] Gang member currently serving time in state prison, quoted in Jerome H. Skolnick, Gang Organization and Migration, published by the State of California Department of Justice, 1989, p. 17

[82] Bing, Op. Cit., p.242

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Gang values should be understood but not romanticized or relied upon as predictors of individual behavior: While it is useful to try to understand and articulate gang values, it is also important not to overstate their practical impact as rules to live by. As with most sets of ideals and values, these are generally honored in the breach. Gang members live in a harsh world and are not generally known for nobility of character. Some are enamored with the code of gang life. Others are not. Still others may change in their committment from day to day. Anyone joining a gang with romantic notions of one-for-all and all-for-one is a likely to end up, figuratively speaking, with a knife in his back:

> "Most empirical research on gangs reveals a rather low level of cohesiveness with common norms and values evident more in rhetoric than in behavioral patterns. As to loyalty, professional police gang units take pride in the number of gang members they 'turn,' i.e., establish as informants on gang activity."[83]

GANG ORGANIZATION:

Although the word "gang" is also used to describe some groups that are tightly organized, analogies of street gangs to organized crime groups, or to subterranean armies, or to para-military groups are profoundly misleading. Such comparisons imply levels of centralized leadership, organization, discipline and hierarchy that are almost entirely absent.

An apparently imposing grouping like the Crips is in fact a loose association of more than 200 gangs, many of which are at war with one another, and none of whom recognizes -- or pretends to exert -- any kind of central authority. Apart from a shared name, the color blue, a commitment to the gang life-style (Crippin'), and their hatred of Bloods, Crips have no shared purpose and virtually nothing in common. Even the acceptance of other Crips as "cuzzes" (cousins), holds only within the limits of bloody local rivalries.

> "See, 'Crip' doesn't mean *nothin'* to a membership. Like ... 'I'm a Crip, you're a Crip -- so what? What set are you from? What neighborhood are you from? What street do you live on?' I may live on Sixty-ninth, he may live on Seventieth, and if Sixty-ninth don't get along with Seventieth ... Then, what it is, you

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[83] Klein and Maxson; "Gangs and Cocaine Trafficking"; in Drugs in the Criminal Justice System, edited by D. MacKenzie; Sage Press, 1991

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assassinate this cat's character."[84]

Individual gangs are equally marginal in their organization. Their cohesion, such as it is, is a product of shared values, family, friendship and neighborhood ties rather than any over-arching structure. Most gangs are loosely knit coalitions of small, autonomous cliques that frequently compete -- and sometimes fight -- with one another. Apart from a general commitment to their 'hood -- or their barrio -- and the gang lifestyle, the only reliable unifying force is combat with outsiders.

This lack of structure is both a serious weakness and a formidable strength. If street gangs were as tightly organized as the Mafia, their power would increase exponentially. At the same time, they would probably be much easier to infiltrate, disrupt and eradicate. Instead, authorities confront a loose, horizontal structure that can be analyzed on several dimensions: by leadership, by clique, by degree of membership (or commitment), or by type of gang.

Gang leadership is weak, non-heirarchical and situational: Over the years there has been a dispute among gang researchers about whether gang "leaders" are the brightest, most socially capable members of the gang, or whether they are the most psychologically disturbed and sociopathic. That argument, along with the notion of controlling gangs by controlling a small core of leaders, is not terribly relevant in Los Angeles. Gang leadership here is decentralized, non-hierarchical, even situational -- more a function of individual prowess and reputation than of any collective decision.

> "There's never a leader ... A gang, you know, is just a group of people. They just hang together and nobody tell nobody what to do."[85]

To the extent that leaders can be identified -- through self-reporting, for example, they tend to resemble the other gang members in their behavior:

> "There were no significant differences between self-reported leaders and others in their self-reported regular involvement in drug use or delinquency."[86]

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[84] Bing, Op.Cit., p. 244

[85] Gang member quoted in Skolnick, Op. Cit., p. 17

[86] Jeffrey Fagan, "Social Processes of Delinquency and Drug Use Among Urban Gangs"; in Gangs in America, Op. Cit., p. 654

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One reason it is difficult to make generalizations about gang leadership is that it changes rapidly:

> "Gang membership and roles ... shift over time, as members move in and out of various roles. Membership tenure varies, as does the length of time for members to move up from less important to more visible roles. Dropping back from leadership also is not uncommon... Roles within gangs also may vary according to the nature of the activity -- leaders for drug selling may differ from leaders or soldiers in 'gangbanging.'"[87]

Leadership is widely dispersed, not only by neighborhood and by activity but by age:

> "As with most youth groups, gang leadership is age-graded; young people are influenced more by their own age peers than by those several years older. This contributes to a rather weak gang structure. In addition, influence of leadership is often activity or 'domain-specific.' The most influential in sports activities may carry little weight in gang fighting or criminal escapades, and social leadership may reside in yet another set of hands."[88]

At any given time there is usually a dominant clique (see below) within each gang. But this is a matter of age and reputation, fear and deference rather than any formal selection process. The members of this clique, together with respected veteranos or O.G.'s from older cliques and key individuals from younger cliques, can be thought of as the leadership of the gang -- though its own members probably would not use that term:

> "There was no one person that called the shots on everybody. But there were several of my homeboys that was older than us that usually set the pace for us."[89]

> "There's a who's who of the gang world -- an A-list, if you will -- and there are maybe five or six cats in each neighborhood whose names are constantly in the news -- on the wire, the grapevine. And these stars, these warriors, respect each other. Maybe it's not quite a detente, it's more like a standoff. 'You brake

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[87] Ibid., pp. 652-3

[88] Klein and Maxson, in Drugs in the Criminal Justice System, Op. Cit.

[89] Gang member quoted in Skolnick, Op. Cit, p. 17

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for me, I'll brake for you."[90]

Cliques are the basic building blocks of gangs: Gangs are loosely organized into small age/friendship cohorts or cliques. These groupings are called "klikas" in cholo gangs and "sets"[91] in Black gangs, where they are somewhat less rigidly age-bound. By either name, they are the constants of gang life.

> "The first gang clique (or *klika*, in the syncretic terminology and spelling of the barrio) in any given barrio typically consists of youths between the ages of 12 and 15. By the time the clique has developed fully and is reaching its peak in terms of organized gang activities (at about ages 15 through 18), it has become an influential model for the members of a new younger cohort to pattern themselves after. (A clique also may influence youths in other barrios, as its exploits -- often distorted by the media and enhanced by the processes of urban folklore -- are heard or read about.) The younger clique, in turn, will provide a similar model for a succeeding generation as it reaches its peak level of activity. Usually, it is at this time that the first clique will be beginning to dissolve, as its members marry, get jobs, or find themselves in recurrent or long-term incarcerations. Each new clique is designated by a specific name, which is appended to the barrio name. Reference to a specific barrio gang, then, usually includes all active cliques or, in some circumstances, all cliques, active or inactive."[92]

In the mid-eighties, one pair of researchers traced the succession of age-cliques in two of the oldest barrio gangs in Los Angeles. Over a period of 40-50 years, they documented 14 klikas in one gang and 17 in the other (by now, the numbers are probably 16 and 19, respectively).[93]

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[90] Bing, Op. Cit., p. 242

[91] "Set" is also used, and probably more often, to denote the gang as a branch of the Crips or the Bloods -- Westside would be a set of Crips. Because of this double meaning, the word clique will be used here, even though it is not used by Black gangs.

[92] Vigil and Long, Op. Cit., p. 67

[93] J.W. Moore and J.M. Long, "Youth culture vs. individual factors in adult drug use", Community Research Systems, Inc.; Los Angeles, 1987

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Cliques vary in size but seem to average around four or five members -- roughly a car-load. The "Westside Story" image of packs of twenty boys getting into "rumbles" bears little resemblance to modern reality. Like most other gang activities, fighting tends to be conducted by clique. In the movie Boyz N the Hood one group of three young men conducts a drive-by shooting to avenge the murder of their leader's brother by another group of four, also a drive-by shooting. One could argue about whether these groups were portrayed as gang cliques. By all accounts, however, this is a representative sequence of events and players in Los Angeles.[94]

There are social occasions when several of the gang's cliques, sometimes all of them, come together -- picnics, weddings, funerals, parties, sporting events, etc. There are also locations where members of a particular gang hang out -- parks, fast food joints, video arcades, liquor store parking lots, key spots on school campuses, etc. Sometimes there are all-gang meetings, especially when something is going down with rival gangs.[95] But even on such occasions the clique remains the basic unit. Its members might well arrive and leave together, for example.

Not every member of a gang belongs to a clique. There are smaller groups -- two or three boys -- that affiliate with the gang without ever joining or becoming a clique. There are also some who remain connected on a purely individual basis. Superimposed on this minimal structure is a very basic sort of hierarchy based less on age than on commitment to the gang.

Gang members have varying degrees of commitment to the gang that translate into rough levels of membership: Many different researchers and theorists have suggested names and categories for the different types of gang members.[96] But nomenclature aside, there is a broad consensus.

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[94] Malcolm W. Klein, Cheryl L. Maxson and Margaret A. Gordon found that the average gang homicide involved approximately four suspects -- "Police Response to Street Gang Violence: Improving the Investigative Process," Center for Research on Crime and Social Control, Social Science Research Institute, U.S.C.; 1987

[95] Police in San Fernando were able to secretly tape one such meeting of about 50 gang members in a local park. The purpose was to discuss a war with a rival gang.

[96] Community Youth Gang Services, for example, has a fairly detailed pamphlet laying out five levels of individual gang involvement.

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-- AT RISK: First there is a category that might be called pre-gang, or at-risk. These boys do not belong to a gang, but they have begun to show an interest. Typically they are quite young and live in or near neighborhoods where gangs are active. They may relate to gangs on a fantasy basis, or they may know and admire someone -- an older friend or a relative -- who belongs. Often they have begun to experiment with gang attire and symbols -- such experimentation can begin as early as the second grade.

-- WANNABE: Next comes a group of aspiring or potential members, commonly referred to as recruits or "wannabes" (a term often used by gang members themselves). Although they are typically in their early teens, "wannabes" come in all ages. The youngest and most committed of these -- usually pre-teens -- are often called "Pee Wees" or "Baby Homies" or some such diminutive but inclusive name. Many of these children have been raised in gang households.

Whatever their ages, wannabes are boys who know and like gang members and enjoy hanging around them on a regular basis. They may walk the walk and talk the talk but, for one reason or another they have not yet officially joined the gang. They may be too young or too new to the neighborhood; they may not yet have proven themselves to their elders; family pressures may still have weight with them; or they may simply not have screwed up the courage to make a commitment. Whatever the reason for holding back, these boys are already attuned to the gang value system and are mentally prepared to join. If they are acceptable candidates, it is only a matter of time.

-- ASSOCIATE: The lowest level of actual gang membership is called associate, peripheral, fringe, gang-member-in-training, or "Li'l Homie." Although these youths belong to the gang, they are not always considered by their peers to be regular, or core members. They "... have strong identification with the gang [but] participate less frequently in gang activities because of their interests in other areas."[97]

There are sub-categories of associates who are less regular in their participation: "'Temporary' members, who typically join the gang later and remain a part of it for a shorter time; and 'situational' members, who join in gang party activities but avoid the more violent activities when

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[97]Vigil & Long, *supra*, p. 62

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possible."[98]

Gang researcher Irving Spergel asserts that there is a special category of associate he calls "floaters." It is not at all clear that this concept has any relevance in Los Angeles. Here is Spergel's definition: "'Floaters' may exist in and across gangs. They are a special kind of associate, with high status, yet are not clearly identified gang members. They are often brokers across gangs, with access to special resources, or they may exhibit special talents needed by the gang. For example, they may possess information about the activities of other gangs and serve as communication links and negotiators in times of tension or intergang conflict. They may arrange deals for weapons, drugs, or stolen property between gangs and with others outside the gang. They tend to be entrepreneurial, well respected, articulate, with many community connections."[99]

-- HARDCORE: The core of the gang is its regular or hard-core membership. They tend to be older, but their experience may be based as much on time-served as on mere age (for example, the sixteen-year-old who has been active for eight years). "[They] may be regarded as an 'inner clique' that is actively engaged in the everyday functioning of the gang. Core members interact frequently and relate easily to each other."[100] These are not only the most committed members, they are the most gang-bound in terms of lifestyle. For these young men, life outside pretty much ceases to exist. They have few friends outside the gang and recognize no authority beyond its confines.

Hard-core gangsters are also far and away the most dangerous gang members; there are few limits on what they will do for the gang. These are not only the leaders, they are the shooters. A quarter of a century ago, Malcolm Klein found that, when it comes to crime, core members start earlier and quit later than fringe members and are charged with 70% more offenses.[101] There is not much research to validate those findings for today's gangs, but they are generally believed to hold true.

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[98] Ibid.

[99] Irving Spergel et. al., Youth Gangs: Problem and Response, University of Chicago, 1990: p. 65

[100] Ibid., p. 65

[101] Malcolm Klein, From Association to Guilt: The Group Guidance Project in Juvenile Gang Intervention, Youth Studies Center, U.S.C., and the L.A. County Probation Dept., 1968, p. 274

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Similarly, no real studies have been done to determine what proportion of gang members fall into the hard-core category. Even so, there is a fairly strong consensus on this point. Academics, community gang workers, and law enforcement all use figures in the 10-15% range, with 10% the most common. These relatively small cadres of "...core gang members, who have the highest rates and severity of violence, are a marginal group within an already marginal population." [102]

-- VETERANOS/O.G.'S: Within and beyond the hard-core membership, as previously discussed, there is a cadre of "veteranos" and "O.G.'s." (original gangsters). These titles, and the roles their holders play, are not synonymous. Both often refer to men in their twenties still prominent in gang affairs (though younger men can earn such status by virtue of long experience and extraordinary reputation). In Black gangs, however, the title is less honorific and age-bound than in Latino gangs.

Traditionally, a veterano was a sort of elder statesmen, a famous warrior, retired from combat but still active and respected. He was expected to assist and instruct his younger homeboys in the proper way of doing things and, in turn, was due deference from them. Because of their status and authority, veteranos could often mediate disputes and exercise some control over outbreaks of violence. This role has been greatly diminished in recent years. With veteranos more and more likely to be away from the barrios during long stretches of prison time, their authority has atrophied even in the older, more traditional gangs. Among the newer, immigrant-based gangs, the tradition has never really developed in the same way. Veteranos still have a mystique that O.G.'s do not, but the differences may be fading.

Among Black gangs, O.G. status does not have quite the same connotations of authority and wisdom. It is more akin to the final rung on the ladder of gang status -- a mark of distinction and success, earned through some specific combination of longevity and achievement (like killing an enemy). In essence, it is peer recognition for having built a fearsome reputation in the wars for the 'hood."

Along with the respect due an O.G., comes an ill-defined but real measure of extra responsibility. Sometimes O.G.'s take on the task of straightening out younger gang members who are disrupting the neighborhood or otherwise behaving inappropriately. There is also a certain implied obligation to those coming up. Here's one O.G., discussing his reasons for occasionally showing the neighborhood youngsters a good

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[102] Fagan, in Gangs in America, Op. Cit., p. 661

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time, "...[Y]ou know, they kids, no matter what else they is. And ... they look up to the O.G.'s, and if the O.G.'s turn they backs, them kids ain't got nobody. ... But the O.G.'s don't always have time for the little folks, you know?"[103]

The O.G.'s relationship with less junior gang members can be an uneasy one. "We help where we can, you know. Give up money; give up clothes and [@#%!], like tennis shoes... I pass that stuff on to the little homies. Or to the homies comin' out of the pen who ain't got nothin'... But I'll be damned if I give stuff to somebody who's got the potential to do for theyselves, but they lazy. Some of 'em be like, '[@#$!] that. I'm just gonna lay back and let the O.G.'s do for me.'...People who never 'banged in their life. Just hang around us and look to get taken care of. We only down to take care of our own people."[104]

The gangs still protect the O.G.'s in the sense that an attack on one of them (and they are high-status targets) will provoke major retaliation. However, apart from any employer/employee relationships related to drug-dealing, they do not seem to have much authority over younger, hard-core gang bangers. Indeed, their relative affluence can make them targets for kidnappings and robberies even from within their own gangs.[105]

DIFFERENT TYPES OF GANGS:

The type of gang that has been described to this point is called a traditional street gang -- or a turf gang, or a cultural gang. There have always been variations on the theme -- like the Hispanic "stoner" gangs that arose in East Los Angeles and elsewhere during the '70's. Notable initially for their emphasis on drugs and rock music rather than turf, the "stoners" were long overlooked by the police because they did not dress in uniform. Over time, the separate identity of the "stoners" has faded as they have evolved into close approximations of traditional street gangs.[106] Other types of gangs, however, remain distinctly different in style and values.

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[103] Bing, Op. Cit., p. 215

[104] Ibid., pp. 220-1

[105] Ibid., pp. 229-31

[106] Interview with Steve Valdivia; Director, CYGS; August 1991

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Entrepreneurial Gangs: A key question in recent years has been whether or not a new type of street gang is emerging in Los Angeles -- around, or in response to, the drug trade. This non-traditional type of gang, has been called "instrumental" or "entrepreneurial," and in many ways it resembles an organized crime network more than it does a traditional street gang.

Entrepreneurial gangs are concerned more with profitting from drug sales than with turf. Or, more accurately, the turf which they guard consists of a monopoly on drug sales rather than a piece of territory. Sometimes the two are merged -- the monopoly is exercised only on a certain piece of territory -- but there is no question as to the primacy of the business over the neighborhood.

> "While the cultural gang routinely engages in criminal activities including the black market, these gangs exist prior to and independent of the illegal activities in which they are engaged. **The criminal acts do not define either the identity of the gang or its individual members** [emphasis in original]. Entrepreneurial gangs, by contrast, are business-focused with financial goals paramount. In these gangs, members enter the gang for instrumental (economic) reasons, fealty of gang membership tends to depend on economic (usually drug-related) opportunities offered by leaders, and the gang is motivated by profits and the control of markets. These gangs tend to be viewed by their members as 'organizations,' and are considered as a strict 'business' operation."[107]

As befits a business operation, an entrepreneurial gang is organized vertically, in contrast to the horizontal organization of traditional gangs. There is an easily identified hierarchy, usually with a top man. Intergang relationships are more like those between employer and employee than those among a family of equals. Even violence is different -- focussed on enforcing the drug monopoly and punishing betrayals rather than on the "us" vs. "them" dynamic of traditional turf gangs.

There is some evidence that Los Angeles area gangs -- especially Black gangs -- may be becoming more entrepreneurial: Interviews with California prison inmates (an admittedly non-representative group, which might tend to emphasize and embellish the most organized criminal activities of gang members) suggest that Black gangs in the Bay Area are almost exclusively "entrepreneurial" while gangs in the Los Angeles area (both Black and Latino) have

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[107] Jerome H. Skolnick, Gang Organization and Migration, published by the State of California Department of Justice, 1989, p. 2

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been, and continue to be, primarily "cultural." They also suggest, however, that the pattern in Los Angeles is changing, with a dynamic movement toward more entrepreneurial gangs -- especially among Blacks.[108]

Whether or not this is true was a hot issue several years ago. Federal authorities and some state and local law enforcement officials warned that street gangs were rapidly turning into organized crime networks. Prominent academic researchers, and many gang/youth workers, disagreed. While the issue is still in dispute, in recent years the tide of battle has turned against the organized crime position -- even within law enforcement. Recent interviews with gang experts in Los Angeles yield a consistent but mixed message: On the one hand, there is universal acknowledgement that traditional gang values have weakened and that drugs have played a part in that process. On the other hand, there is a strong consensus that the fundamental nature of gangs remains unchanged and that their transformation into organized crime networks is exaggerated.

There are unquestionably some street gangs in Los Angeles -- especially among the Black gangs -- which have begun to take on a distinctly "entrepreneurial" look. But there is not much evidence to support the notion that the trend is significant for gangs taken as a whole. This issue will be discussed again in the section on drugs and violence.

Asian gangs are often highly entrepreneurial: Notwithstanding the previous paragraphs, there is a common type of gang in Los Angeles that operates mostly on an "entrepreneurial" basis, and often has links to organized crime: the so-called Asian gang. The term "Asian gang," though widely used in law enforcement, can be misleading. It suggests a false uniformity across ethnic boundaries. Very different types of gangs, for instance, have developed among Chinese and Vietnamese immigrants. For the most part, the delinquent sons of Asian communities have not mimicked the traditional patterns of Latino and Black street gangs.

Vietnamese Youth Gangs: Southeast Asian youth, especially Vietnamese, have formed their own type of gang so different from traditional street gangs that researchers and other experts are reluctant to apply the same name. They prefer to use the term "youth gang."

There are Cambodian youth gangs and Filipino and Korean ones as well. By far the most serious youth gang problems, however, are found among the Vietnamese.

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[108] Ibid.

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Youth gang members are generally the sons of poor immigrant families, ranging in age from the late teens to the early twenties (though their official ages are often listed as 2-3 years younger, an immigrant stratagem for improving school performance). Most are under tremendous family pressure to do well in school but cannot do so. Not surprisingly, their English is usually poor. "Unable to adapt to the dominant culture, they turn to gangs as a means of acquisition without assimilation."[109]

Although they do exhibit some classic gang patterns, particularly the focus on family-like friendships, "Vietnamese youth gangs do not claim turf, adopt particular modes of clothing, or, sometimes, even have gang names."[110] These gangs are formed for a simple purpose: to make and spend money. "Black and [Chicano] gang they ... fight for neighborhood. They shoot each other for nothing. For us, [the] most [important thing is] we try to make money. We don't fight for a little neighborhood 'cause that's stupid."[111]

Not only do most Vietnamese gangs not claim turf, they are notorious for their extraordinary mobility -- operating over wide territories, even nationally. As refugees, these boys have been accustomed to traveling light and fast throughout their lives -- fleeing communists in Vietnam; making the harrowing journey to the U.S.; and, quite often, relocating from the original area of settlement to Southern California. For youths with that kind of background, a sudden trek by car across the country, or to Canada or Mexico, is not a daunting prospect. Such trips are common, involving as many as 15-20 people, financed by committing armed robberies along the way. A loose network of friends in Vietnamese communities across the country facilitates such escapades.[112]

The gangs are small, but their crimes are not. They typically begin with car theft and move on to armed robbery. Car theft is conducted without regard for the owner's ethnicity; but armed robbers attack Vietnamese homes exclusively -- and frequently with great violence.

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[109] James Diego Vigil and Steve Chong Yun, "Vietnamese Youth Gangs in Southern California"; in C. Ronald Huff, Gangs in America; 1990; p. 147

[110] Ibid., p. 155

[111] Ibid., pp. 158-9

[112] Ibid., p. 160

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"...[M]any Vietnamese Americans tend to keep large amounts of cash and gold within their homes. Knowing this, the youth gangs will survey a residence and in small groups (usually four or five persons) will enter the home armed with handguns. Victims are beaten and coerced into revealing the location of their valuables. Sometimes extremely cruel measures are used: One informant had threatened to drown the victim's infant son in the toilet. As victims themselves of communist soldiers who robbed their homes in Vietnam, these youths have few compunctions in using violence. Their methods are efficient and effective. Almost without exception, they are able to extract $15,000 to $20,000 per residence. On those rare occasions when they were able to find only a few thousand, our informants expressed their disgust and frustration."[113]

In addition to the ready availability of gold and cash, the other reason for attacking only Vietnamese families is that they are highly unlikely to go to the police. As many as 50% of these strong-arm robberies go unreported.[114]

Caution about coming into contact with the authorities is typical of the youth gangs. Anxious not to jeopardize their criminal livelihoods, they try not to draw attention to themselves -- which is one reason some gangs never adopt a name. Their tattoos, if they have them, are small and inconspicuous -- they may even be applied with washable ink. Clothing styles are not dissimilar from those favored by many trendy teen-agers.[115]

Because their crimes are so profitable, youth gangs have little reason to undertake the risks and expenses of drug dealing. The crime they aspire to is extortion, a steady source of high profits. But extortion is the province of the secretive, tightly-organized adult Vietnamese organized crime groups. Many youth gang members aspire to enter that world, and some undoubtedly do. Otherwise, there seems to be no real link between the two levels of crime.[116]

Chinese Street Gangs: By contrast, Chinese street gangs are directly related to organized crime. So much so that distinctions between the two can blur. In general, street gangs are composed of younger men -- late teens to mid-twenties -- who

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[113] Ibid., p. 157

[114] D. Barber, "Inside Asian Gangs"; AsiAm, October, 1987

[115] Vigil and Yun, Op. Cit., p. 159-60

[116] Ibid., pp. 157-8

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are frequently used as "muscle" by their elders.[117] In this sense, membership in a Chinese street gang may be seen as the first rung on the ladder of Chinese organized crime.

This linkage may be more the result of historical accident than of any cultural pre-disposition. "...[B]efore 1965 there were few Chinese teenagers in the United States, a result of the Chinese Exclusion Act passed in 1882 and the National Origins Act of 1924 ..."[118] After the Immigration and Naturalization Act of 1965, thousands of Chinese Americans sent for their families. A large new generation of children was either born in the U.S. or brought here at an early age. As with virtually all other immigrant groups, these second generation youngsters began to form gangs as they reached adolescence.

Unlike other immigrant groups, however, the new Chinese gangs operated within an old community -- one that already had well-established organized crime networks. So perhaps it should be no surprise that close links developed. This would also explain why Taiwanese and Vietamese/Chinese gangs not only formed later but also tend to be less organized. Unlike Chinese youth from the mainland and Hong Kong, these gangs did not have established local role models in organized crime to emulate.

Outwardly, Chinese gangs bear some resemblance to Black and Latino gangs. They are often territorial; they frequently adopt a uniform style of dress; they make use of tattoos and other insignia of membership. But the differences are more important than the similarities. Like Vietnamese youth gangs, Chinese gangs are unabashedly devoted to money. Indeed, they frequently run extortion/protection rackets within their territories. Instead of "jumping in" members, their initiations are weak-tea versions of the ceremonies used by the Triads and other secret societies. Their organization is hierarchical rather than by clique, often led by one person, somewhat older, who is clearly the top man -- and generally has direct connections to an older crime group.[119]

Like their elders in organized crime, the Chinese gangs are divided by country of origin. Immigrant communities from Hong Kong, Taiwan and Vietnam (ethnic Chinese) each support different combinations of organized crime groups and related street gangs. Thus the first Chinese street gang, the Wah Ching, was formed by

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[117] Interview with Officer Bill Park of the LAPD Detective Support Division, Gang Information Service

[118] Ko-Lin Chin, "Chinese Gangs and Extortion"; in C. Ronald Huff, Gangs in America, 1990; p. 129

[119] Ibid.

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Hong Kong immigrants to protect themselves against American-born Chinese. The Wah Ching has direct connections, through local tongs, to the Hong Kong-based Triads and their organized crime associates. By contrast, Taiwanese street gangs relate to the United Bamboo organized crime network, which is also Taiwanese in origin.[120] The Viet Minh street gang deals with both.

Cambodian Gangs: Among the newest gangs in the Los Angeles area are the Cambodians (featured in a recent Time Magazine cover story on California).[121] Concentrated primarily in Long Beach, these gangs are hybrid in style. Like Chinese gangs, they specialize in extortion. Like the Vietnamese, they are highly mobile and comfortable with violence. However, unlike most other Asian gangs, they have mimicked the turf-conscious, gang-banging style of neighboring Hispanic gangs -- from hand signs to drive-by shootings. Like other recently formed gangs of immigrants from Mexico and Central America, the Cambodians have adapted to gang warfare with a ferocity that has shaken the status quo on the streets.[122]

Prison Gangs: Prison gangs have a long and violent history in California. They originally organized along ethnic and regional lines to provide protection and other scarce but desirable commodities inside correctional institutions. Over time, as members were released, the gangs extended their influence into many kinds of criminal activities throughout the state.

All prison gangs, be they Black, Latino or Anglo, are more akin to organized crime networks than to street gangs -- especially in their operations "outside." They are mentioned here only because there has been speculation in recent years that they might be linking up with street gangs to form super-networks of some sort -- or, conversely, that street gang alliances might be emerging as rivals to prison gangs "inside."

In general, fears of a prison/street/gang nexus seem to be overblown. No law enforcement authority interviewed for this report saw any trend toward prison gang control over street gangs. Individuals often belong to both types of gangs, and may move back and forth between them. Energetic leaders sometimes use the two different power bases to create an effective criminal enterprise. Elrador "Ray Ray" Browning of the BGF (Black

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[120] Annual Report to the Legislature on Organized Crime in California, 1990; California Department of Justice

[121] James Wilworth, "From Killing Fields to Mean Streets"; Time, November 18, 1991; p. 103

[122] Interview with Sgt. Wes McBride, LASO, Operation Safe Streets

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Guerilla Family) prison gang did so in the Pasadena area, for example, building a large drug distribution network. But apart from providing a pool of recruits for the business, street gangs rarely play any direct role in such enterprises.

Turf-oriented gangs are extremely parochial. Their members may affiliate with a prison gang for protection and companionship while on the inside -- and they may stay in touch when they get out -- but once back in the old neighborhood, few try to push an agenda that transcends the loyalties of the barrio or the 'hood. It is much easier to pursue such an agenda as an independent, or with a few friends (either from prison or from the local gang). Leaders who come back from prison and try to convert the local gang structure not only face a very tough sell, they must contend with up-and-coming rivals (not the least bit intimidated by violence or the "rep" of an ex-con) who are committed to the traditional gang norms.

Rival gangs have long since carried their local feuds inside prison walls -- especially the Crips and Bloods, who are generally kept separated in correctional settings. Several years ago, corrections authorities reported that street gang alumni were regrouping in prison -- forming the Consolidated Crips Organization and the United Blood Nation. There was speculation that these groupings -- especially the much larger CCO -- would emerge as "super gangs," displacing established prison gangs and linking up with their gang comrades outside.[123] Thus far, however, nothing so organized or sinister seems to have happened. That is not really surprising, considering the many deadly feuds between rival groups of Crips and the total lack of trans-gang organization.

Anglo Gangs: There are many Anglo gangs operating in Los Angeles but almost none are conventional street gangs. The most significant and dangerous Anglo gangs are basically organized crime groups consisting of primarily of adults rather than youths -- including the Aryan Brotherhood prison gang and motorcycle gangs like the Hells Angels. So far as is known, none of these groups have any connections with street gang members.

Anglo youths do sometimes join neighborhood turf gangs dominated by other ethnic groups, especially Hispanic and Stoner gangs. There are also a few whites among the Crips and Bloods. One such boy, a Crip with a very respectable "rep," tells how he came to join the gang:

"I moved into the neighborhood and started to hang around black people every day. And then one day I went

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[123] Annual Report to the Legislature on Organized Crime in California, 1990; California Department of Justice

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to take out the trash, and they put me on the 'hood. Three guys jumped me in -- I was about twelve and a half years old. I told my mama she just had to accept it."[124]

By all accounts, boys like this one are anomalies, though several observers report a rise in the number of multi-cultural gangs (not all of which include Anglos, of course). Judging from the numbers of Anglo gang members recorded in the GREAT system (almost 2,200), versus the number of members recorded in all-white gangs (no more than 500), Anglos in Hispanic and Stoner gangs might represent 1% or more of total street gang membership.

True Anglo street gangs, on the other hand, are much rarer. Some well-known groups, like the Skinheads, don't really fit the street gang profile because they don't claim turf. Skinhead gangs sometimes commit brutal assaults against other ethnic or cultural groups -- most frequently against gay men. Their crimes are of great symbolic importance in a multi-cultural society, and their numbers are magnified somewhat by connections with adult racist hate groups. Still, the numbers are exceedingly small within the larger gang context -- perhaps two hundred Skinheads countywide, only a distinct minority of whom are hard core.

In addition to the Skinheads, there are a similar number of Anglo punk gangs. Over all, however, Anglo street gangs -- despite their considerable news value -- trail far behind Black, Latino and Asian gangs as law enforcement problems in Los Angeles County.

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[124] Bing, *supra*, pp. 62-3

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CHAPTER FOUR: CRIME, DRUGS AND VIOLENCE

GANGS AND CRIME:

Gang members commit crimes in extraordinary numbers, far out of proportion to their share of the general population -- even taking into consideration the normally high crime rates for teenagers and young men. A survey of 750 young people in three cities (Los Angeles, San Diego and Chicago) in 1985 found dramatic differences in self-reported criminal involvement between gang members and non-gang members. Examining 12 different crimes -- ranging in seriousness from alcohol use and minor theft to robbery and felony assault -- researchers found that, without exception, gang members were more likely to commit every type of crime (and to commit it more often) than non-gang members.[125]

Gang males are responsible for more than six times as much crime, per capita, than non-gang males: For example, over 45% of male gang members admitted to having committed felony assault, compared to 11% of non-gang youths. Of those who had committed the crime, gang members reported an average of more than 23 assaults apiece in the past year, non-gang members averaged just under 15 assaults per year. Overall, the average incidence of felony assault per gang member was 10.1 per year. For non-gang members, it was just 1.6.[126]

Similar patterns held for the other crimes. While there was a big difference in frequency (gang members engaged in a given activity committed more crimes per year than non-gang members engaged in the same activity) the biggest differences were in participation rates. For every crime studied, a much higher percentage of gang members than non-gang members were criminally involved. On average, a gang member was five or six times more likely to commit any given offense during a single year than a non-gang member. And more than half of all gang members (56%) were multiple offenders -- that is, they committed several different kinds of crimes each year.[127]

Gang females commit many more crimes per capita than non-gang females and non-gang males: The study was also revealing about the relative criminality of female gang members. The percentage

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[125] Jeffrey Fagan, "Social Processes of Delinquency and Drug Use Among Urban Gangs"; in Gangs in America, C. Ronald Huff; 1990, Sage Publications; pp. 196-7

[126] Ibid.

[127] Ibid.

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of female gang members involved in every crime was considerably lower than for male gang members. On the other hand, for those gang girls who were involved, the frequency of crimes was just as high as for the boys. Furthermore, gang girls were higher in every category (participation, frequency, overall incidence), for every crime, than were non-gang boys (usually 3-4 times higher) or non-gang girls (usually 5-7 times higher).[127]

Why do gangs breed crime? In part, it is because they attract the most crime-prone members of the most crime-prone group in society: adolescent males. But there are also three realities of life in the gang subculture which drive the crime rate: fighting, partying and unemployment.

Gang fighting drives violent crime: By far the most visible and frightening of gang crimes is homicide. Contrary to popular belief, most gang homicides are not random shootings nor are they disputes over drugs or some other crime. Gang homicides are the products of old-fashioned gang fights over turf, status and revenge.

Actually, "fight" is becoming an antiquated, almost quaint word when applied to gangs. The day of the "rumble" is long gone; the day of the drive-by-shooting is here with a vengeance. A generation ago, when fists, clubs and maybe knives were the weapons of choice, getting involved in a gang fight was not necessarily a commitment to a criminal lifestyle. In today's Los Angeles, where disputes are settled with guns rather than fists, a youth caught up in a gang "fight" can quickly find himself not just a criminal, but the kind of criminal most feared -- and most heavily punished -- by society. The press routinely reports on seemingly ordinary young men who have committed shocking murders and assaults.[128] These otherwise inexplicable events are the results of traditional gang codes which require members to fight to prove their honor, manhood and loyalty.

Boys who are toying with the gang lifestyle -- hanging around with friends, perhaps, and timid or slow about speaking out -- may suddenly, and unintentionally, become targets or accessories to drive-by shootings. There is a finality to such episodes, even when they do not end in death. For they can drag young men over the line and leave them there -- exposed to arrest and imprisonment; fearful of retaliation from other gangs; wary of any action which would trigger rejection by friends they need now more than ever. Each attack thus creates a chain reaction of complicity, vengeance and commitment.

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[127] Ibid.

[128] See, for example, the cover story of the L.A. Times Magazine, August 11, 1991

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This is not to imply that most of those involved in gang banging are innocents who get pulled along with the crowd. Quite the contrary, gangs are full of young men who revel in fighting and in killing -- like these two:

> "I'll tell you, though -- if I didn't have no worst enemy to fight with, I'd probably find somebody."
>
> "Ye-eeeeeeeh," [his friend picks up] "*I'd* find somebody. 'Cause if they ain't nobody to fight, it ain't no gangs. It ain't no life. I don't know ... it ain't no ..."
>
> "It ain't no fun [the first boy chimes in]."
>
> "Yeah! Ain't no fun just sittin' there. Anybody can just sit around, just drink, smoke a little Thai. But that ain't fun like people you kill ..." He stops, starts again. "Okay, look, I'm so high" -- [the 14-year-old speaker] holds up his hand to indicate his height when he is standing -- "and killin' somebody, that make me higher. 'Cause you got enough heart to kill somebody, then, like you got the heart to destroy. Make you tall."
>
> "Kinda pumps you up."
>
> [The 14-year-old] likes that image. "Yeah. Pump, like. You gets fired up, like you can beat anybody up then."
>
> "Even somebody stronger than you, or with a bigger gun or a sharper knife. You just try your hardest to bring 'em down."[130]

Drive-by-shootings are typically committed by small sets of gang members acting more or less on their own -- not by large groups representing an entire gang. But there are occasions when large numbers of gang members are on the move all at once (in a number of cars) against an enemy. Shootings may be planned as acts of revenge or aggression. They may also result more or less accidentally from symbolic invasions of enemy (or disputed) turf. Such outings are thought of as "missions" or "putting in work for the 'hood." If they are planned to end in shooting, a car may be stolen for the occasion.

The ferocity of gang rivalries is shocking and almost incomprehensible to outsiders: The level of violence is high despite -- or because of -- the reality that participants are

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[130]Bing, Op. Cit., p. 49

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usually well-known to one another:

> "You gotta understand, everybody in most rival gangs knows each other's first and last names. You know why? We all grew up with maybe only one street separating us. Went to the same elementary school. Played stickball together... [another man picks up the story] the split usually comes in junior high, 'cause that's when the gangs come more into it."[131]

Perhaps it is this very familiarity which yields such intensity of feeling. It also explains, incidentally, why gang members are usually very accurate (bystander casualties notwithstanding) about who they attack. These battles take place within small, fairly intimate local communities. In that sense, they are reminiscent of blood feuds from other cultures.

In such an atmosphere, deadly slow-motion wars can begin over almost any slight. Once begun, there are few limits to what may be done to an "enemy" or his people, from brutal assault and rape to torture and murder. And the rule of retaliation is that every member of the offender's gang is fair game -- a virtual guarantee that hostilities will escalate. One of the most infamous gang wars in Los Angeles has raged for a dozen years between two factions of Crips -- the Rollin' 60's and the Eight-Tray Gangsters. It supposedly began with insults hurled over a junior high-school romance. More than two dozen people have since been killed.

Party costs, plus unemployment, equals crime as a part-time job: If gang members are not fighting, they are likely to be partying. This drives crime in several ways: first, it encourages heavy drinking and drug abuse, both of which are closely associated with spontaneous outbreaks of violence and with high crime rates in general; second, the need to procure drugs for parties brings gang members into routine contact with the illicit drug distribution system; finally, as with many adolescents, the costs of partying (and related social activities) create a strong need for more money than is readily available at home.

When a normal teen-age need for money is compounded by the costs of the gang life-style, and frustrated by a gang member's aversion to (and/or inability to find) honest work, the result is frequently a turn to crime for profit. Those who do not start dealing drugs are likely to turn to theft, burglary or armed robbery. Here's a 15-year-old explaining his livelihood:

> "It's like, like ... I steal, but I don't jack [commit armed robbery] ... and all like that 'cause I got

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[131] Ibid., p. 228

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money. I don't have to pull a gun on nobody for they money... I'll jack for a car. I *got* a car, though ... So if I jack for a car it's only for somethin' we can use for like shootings or g-rides, you know? But, like I said, I wouldn't jack nobody for they money. All that ain't called for. I *got* money ... I sell dope for *my* money."

His friend chimes in: "If I was livin' on the streets like some bum or somethin', just livin' in some alley I'd jack for money. But I ain't that bad off."[132]

Gangs play no favorites in the illegal pursuit of money, though drug dealing and armed robbery are common: Once the decision is made to earn money illicitly, no single crime, or group of crimes, shows up as a gang specialty. Over 40% engage in felony and minor theft, robbery, extortion, and/or felony assault. But similar patterns (at lower levels) are found among non-gang members.[133] Anecdotally, it is believed that gang members favor those crimes that produce the most money for the least effort, including drug dealing (see next section) and armed robbery. That view is confirmed by one participant:

"See, people say street gangs into a lotta petty crimes... The average little gangster ain't out there snatchin' no [@#%!] purses, he ain't grabbin' no television set. He's robbin' a jewelry store, you know what I'm sayin'? And if the Man come, he'll shoot it out. Whatever."[134]

Crimes committed by gang members are rarely gang activities: It is important to emphasize that the fundamental choice of how to earn money -- legally or otherwise -- is not dictated by membership in the gang. Though gangs are supportive of crime, they do not demand it. "[P]articipation in such criminal activities as burglary and robbery by gang members ... is rarely a gang activity as such, but the gang norms of bravery and disdain for external authorities tend to condone or even

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[132] Ibid., pp. 19-20

[133] Fagan, Op. Cit.; in related survey research, Fagan has found even higher rates of participation -- about 10% higher, on average -- for all these crimes. Of course, most of these gang respondents report having committed these crimes only once or twice. A much smaller number admit being regular criminals.

[134] O.G. quoted in Bing, Op. Cit., p. 219

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encourage some members to pursue such crimes..."[135]

In addition to providing a non-judgmental, even supportive structure, gangs often provide role models and on-the-job-training in crime techniques. But the crimes themselves are not committed on behalf of the gang, nor are proceeds shared. The individuals (or groups, which may include non-gang members as well as homeboys) who commit such crimes do so for their own reasons and by their own rules -- and that includes drug dealing:

> "Gangs didn't have nothing to do with selling no drugs. That's just something you do on your own. You straight gangbang. You ain't got to get into the drug deal, you know."[136]

Gangs are violent in large part because they attract violent young men: The dictates and the costs of the gang life-style certainly drive crime rates. But there is another, even more important dynamic at work: Gangs attract young men who enjoy crime and violence. The stark reality is that Los Angeles is producing an extraordinary number of dangerous, alienated young men -- and, one way or another, there is a price to be paid for that in terms of crime. It may even be that gangs should be seen as symptoms rather than causes. After all, if gangs disappeared tomorrow, there is no reason to believe their members would join the Boy Scouts.

Asked what would happen if the gangs ever stopped fighting each other, a sixteen-year-old Crip replied:

> "We would never call a truce with the Bloods. Never. That just won't never happen, so there's no point even playin' around with the idea. But if all the Crips stopped fightin' each other, I'd give it six months. It would stop, everything would be cool, and then," he shrugs, "they'll find somethin' else to do. Either fight with the police...or just go out and harass people. All that robbery and stuff'll still be goin' on. It's just like certain people -- and everybody, *everybody* got these same type people in they 'hood -- just *got* to get [@#%!] started. Just for the hell of it. Like they'll be kickin' it one minute, and they'll get high, or drunk or somethin', and they'll like 'I remember the time we didn't get along with that set ...' and 'That homeboy killed our homeboy, so [@#%!]

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[135] Vigil and Long, Op. Cit., p. 63

[136] Skolnick, Op. Cit., p. 17

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that 'hood!' So everything just kick back up again."[137]

GANGS AND DRUGS:

Drug Use: Not surprisingly, given the heavy gang emphasis on partying, most gang members use drugs and alcohol. Less than a quarter of gang members say they don't drink or use drugs (compared to over 60% of non-gang members) and another 3-4% use only alcohol. About two-thirds of gang members report using alcohol, admitting to an average of one drinking session almost every week. Over 70% use drugs, usually about once a week. Of those, roughly 30% use only marijuana while another 40+% use at least one other drug -- cocaine, heroin or PCP.[138]

Compared to non-gang members, youths in gangs are more than twice as likely to use drugs -- and they use them much more often. As a result, the total incidence of drug use among gang members is roughly four times greater than among non-gang youths.[139]

There are clear ethnic preferences in drugs. There is broad general agreement among gang experts interviewed for this report that Black gangs in Los Angeles prefer cocaine, especially "crack." Latino gangs are big on PCP. Chinese gangs are the most likely to use opium and heroin. White motorcycle gangs prefer methamphetamine. Marijuana is equally popular across ethnic lines.

Gang drug use is primarily recreational. There are certainly many gang members with serious drug addiction problems. But that is not a gang norm. On the contrary, gangs are not terribly tolerant, much less supportive, of addiction. Here is a gang member who has dealt drugs:

"...[L]ike if you is my homeboy and you start to smokin' dope and like, you was my acebone, and I see you going down the hill, every time I see you puffin' on something I'm going to beat you down until you stop."[140]

Similar, though less militant, views cause most gangs to look down on heroin users -- they believe that heroin addicts

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[137] Bing, Op. Cit., p. 146

[138] Fagan, Op. Cit., p. 200

[139] Ibid., p. 197

[140] Skolnick, Op. Cit., p. 5

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value the drug ahead of the gang. In Latino gangs, ..."youths who regularly engage in heroin use take on the role of *tecato* (addict) in their late teens and partially segregate themselves into a distinct subclique."[141] Similarly, among Vietnamese youth gangs, "Cocaine is used heavily, but heroin is shunned because it makes one 'unreliable' and 'crazy.'"[142]

Drug Sales: The hottest controversies about drugs and gangs concern sales rather than use. Compared to non-gang members, gang youths are roughly four times as likely to sell drugs; and gang dealers sell twice as often. As a result, the total incidence of drug sales among gang members is seven times higher than among non-gang youths.[143]

When gang members are asked whether they have sold drugs in the last year, roughly half (51.3%) say yes. Most are not regular dealers, however, having sold only once or twice in a year's time. Fewer than one in four (23.8%) admit to having sold three times or more. Only about one in seven (14.1%) are committed dealers, selling at least 12 times a year.[144] Nevertheless, it has been suggested, primarily in law enforcement circles and the media, that gangs have moved into drug-trafficking in a big way, that they are now a large and growing component of the drug distribution network in Los Angeles and nationwide.[145]

The truth appears to be more complicated and less dramatic. Many gang members -- especially Black gang members -- make their living as small-time drug dealers. Some are much more than small time. There are also many drug-dealing organizations whose leaders, subcontractors and employees include gang members.[146]

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[141] Vigil and Long, Op. Cit., p. 65

[142] Vigil and Yun, Op. Cit., p. 159

[143] Fagan, Op. Cit., p. 197

[144] Fagan, in Criminology, 1989, Op. Cit., p. 646

[145] This controversy is laid out in some detail by Klein and Maxson in "Gangs and Cocaine Trafficking"; in Drugs in the Criminal Justice System, edited by D. MacKenzie; Sage Press, 1991

[146] One well-known example is the drug ring recently broken by the FBI which included past and present members of the Muslim Crips gang in Los Angeles, and had links through gang members to other cities. This ring, which included non-gang members as well as Crips, is alleged to have moved around 400 kilograms of "crack" per month -- L.A. Times, Thursday, January 9, 1992

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Some of these organizations are headed by ex-gang members, some are headed by O.G.'s, and some may have evolved into a new type of "drug gang." But there is little evidence that the traditional turf gangs in Los Angeles have begun to change their focus and operate primarily as drug distribution networks. Latino gangs certainly have not. Black gangs probably have not.

Gangs have been involved with the lower levels of the drug trade for many years: By the account of one veteran law enforcement professional, there has long been a certain amount of loosely organized drug trafficking among Latino gangs in L.A. County. These operations were, and remain, secretive. Sometime around 1980, Black gang members began to move into the trade with a more organized and flamboyant style.[147]

Even so, prior to the emergence of "crack" cocaine, gangs were perceived to play a fairly insignificant role in the drug trade. Gang members were heavy drug users, and some were dealing as well -- trafficking in cocaine, PCP, heroin and other drugs. But these "connections" were acting on their own rather than on behalf of a gang. For the most part they were making a living as junior salesmen in separate, non-gang distribution networks.

Gang involvement skyrocketed with the arrival of "crack" cocaine: "Crack" changed everything, especially in the Black community. Cocaine was dramatically repositioned in the marketplace -- transformed from a trendy but expensive specialty product to a low-cost, high-volume product for the mass market. Suddenly, a greatly expanded market had room for countless local "franchises." Almost overnight, a major industry was born -- with new outlets in every neighborhood, tens of thousands of potential new customers and thousands of available jobs in sales.

Not surprisingly, this "crack" explosion had profound effects on all institutions in the affected communities, including gangs. Since gang members are heavily involved in every type of crime, it would have been truly remarkable had they ignored the hottest new illicit commodity to hit the streets in decades. The real question is not whether gang members deal "crack." Like many others, they do. The question is, are they disproportionately or even dominantly involved in the drug trade?

This has been a controversial question in part because researchers and interested observers have been trying to take static snapshots of a rapidly changing situation. "Crack" cocaine first appeared in Los Angeles sometime around 1982. Two years later, around the time of the 1984 Olympics, it seemed to enter a stage of explosive growth. In hindsight, it now appears

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[147] Interview with Mike Duran; Director, Specialized Gang Supervision Unit, L.A. County Probation Department

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that "crack" may have peaked sometime in 1986-87.[148] To the degree that the drug can be said to have stabilized, both in terms of usage and of distribution, it has done so only fairly recently. So it is only now that we can begin to judge its long term impact on gangs, and vice versa.

Drug dealing and gang-banging have not merged into a single activity in Los Angeles; each remains distinct from the other: There is considerable research which indicates that the impact -- in both directions -- has been less than generally supposed. Drug dealing and gang banging are two widespread, growing phenomena which share much of the same territory and many of the same people. Despite their considerable overlap, however, they do not appear to have merged into a single activity.

The most thorough study to date has only recently been published. A team of researchers from U.S.C. examined L.A.P.D. and L.A.S.D. arrest logs at substations in South Central Los Angeles with high levels of gang activity and high levels of drug arrests. As might be expected, they found that from 1983-1985, while cocaine arrests were soaring by 375%, gang involvement was also on the rise. In 1983, only 8.6% of arrests for selling cocaine involved gang members. By 1985, gang members were involved in 24.9% of such arrests.[149]

Clearly, as the "crack" epidemic hit the streets, gang members jumped in with both feet. However, low-volume street sales accounted for virtually all the growth in gang arrests. There was no sign of any more sophisticated or controlling involvement with cocaine.[150]

Several features of the data are striking. First, even in the most gang-infested area of Los Angeles, a full three-quarters of arrests for selling cocaine did not involve gang members in any way. Second, after an initial spurt, the rate of increase in gang involvement slowed dramatically -- suggesting a leveling off. Third, in cases with multiple suspects, the proportion of gang members showed a downward trend. In other words, there was a trend away from cocaine sales by groups from the same gang, and a trend toward sales involving both gang members and non-gang

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[148] This highly speculative statement is based on such indicators as emergency room deaths by overdose, self-reported use on national surveys, etc. After declining for several years, some of these indicators appear to have turned upward again 1991.

[149] Malcolm W. Klein, Cheryl L. Maxson and Lea C. Cunningham, "'Crack', Street Gangs, and Violence"; Criminology, 1991, Vol. 29 (4)

[150] Ibid.

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members. This is the opposite of what we would expect if whole gangs were moving into cocaine trafficking.[151]

Finally, the researchers looked carefully for any special gang "signature," but found none. "...[T]here are few recorded differences between gang and non-gang cases, and fewer still of any importance... There is little evidence, certainly, that gang membership brings anything special to the crack trade."[152]

Drugs are not a major cause of gang-related homicides: The same researchers looked at homicides in 1983-5 and again in 1988-9. Several interesting patterns emerged. First, despite the high incidence of recreational drug use among gang members, gang homicides were no more likely to involve drugs on some level than non-gang homicides (62% vs. 66% in 1988-9). However, gang homicides were somewhat more likely to involve <u>selling</u> drugs than non-gang homicides (40% vs. 33% in 1988-9) -- though less so than might be expected, since gang members in general are so much more likely to deal drugs than non-gang members. Finally, gang homicides were much less likely to be <u>motivated</u> by drugs than were non-gang homicides (17% vs. 27% in 1988-9).[153] That pretty well matches the intuition of local gang experts, who estimate that as few as 10% of gang homicides are truly drug-related. They point out that individuals kill each other over drugs, gangs do not.[154]

None of this is surprising given what we know about the motivations for most gang killings. When gang members are asked their reasons for drive-by shootings, they talk about the 'hood, about respect (or disrespect), about revenge. They most emphatically do not talk about drug dealing. One counselor who asked a group of gang members to list reasons for killing someone got 36 answers ranging from "for the [@#%!] of it" to "work for the 'hood." Only one response was clearly drug related; at most, three others could have been construed to be drug related.[155]

Other researchers have reached similar conclusions on the relatively low drug component in gang homicides, especially for

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[151] Ibid.

[152] Ibid.

[153] Maxson, Klein and Cunningham, "Gangs, Drugs and Homicide: Preliminary Findings from Los Angeles," unpublished paper presented at the American Society of Criminology meetings, November, 1991

[154] Interview with Sgt. Wes McBride, L.A.S.O.

[155] Quoted in Bing, Op. Cit., pp. 121-3

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younger gang members -- those most likely to be active gang bangers. By contrast, homicides involving older gang members look more like non-gang homicides in this regard -- probably because older gang members, though still affiliated, are no longer killing for the gang but for business reasons.[156]

The U.S.C. team also examined changes in homicide patterns over time. As the "crack" explosion progressed, and gang involvement increased, they expected to find that more and more gang homicides were drug related. Instead:

> "Gang homicides manifest essentially no change in drug involvement, contrary to police expectations, but the nongang homicides show a dramatic change. The clear suggestion is that the portion of the gang world that gets involved in severe violence was already tinged with drug connections, while nongang homicide came to be drug tinged as the cocaine problem exploded. The gang/drug connection was already there; the cocaine explosion brought more violence to the nongang portion of the growing drug arena... The drug/homicide connection ... is not basically a gang phenomenon ..."[157]

The conclusions of the research team are worth noting: "We conclude ... that the world of crack in Los Angeles belonged principally to the regular drug dealers, not to its street gangs ... In Los Angeles, as in many other cities, drug and gang problems may well intersect, but they do not thereby become a single, comprehensive social problem."[158]

The potential of gangs as drug distribution networks is lower than commonly believed: From an economic point of view, the findings cited above are not at all surprising. For, in truth, traditional street gangs are not well-suited for drug distribution or any other business-like activity. On the one hand, they have some obvious advantages -- they are "on the ground" throughout key market areas; they form a natural network for developing and sharing marketing information; they can provide a web of support and services (loans, protection, weapons, etc.); they are not averse to illegal activity; and they are perfectly comfortable with violence, should that prove

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[156] Summary of unpublished research conducted in cooperation with the L.A.P.D.

[157] Klein, Maxson and Cunningham, Op. Cit.

[158] Ibid.

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necessary to protect the franchise.[159] But these assets are more than offset by the now-familiar structural weaknesses endemic to gangs:

> "Street gangs are said to be well-suited to drug distribution because of their internal structure which is hierarchical and highly controlled. In fact, however, street gangs are normally loosely structured and ill-controlled. Turnover is heavy and relatively constant, so that experienced members wax and wane in their participation, while older members are rapidly replaced by new recruits. Only in West Side Story is control wielded effectively by the few: in real street gangs, multiple cliques, dyads and triads are the common units of companionship, each responsive to its own age peers rather than to powerful (or older) leaders. For drug distributors, such a haphazard organizational structure does not provide the basis for an effective distributional system. Small cliques may be effectively employed, but it would be best to divorce them from the traditional street gang structure."[160]

In addition, as mentioned earlier, trusting fellow gang members in the crunch is a better bet in theory than in practice. Here's a gang member speaking from prison:

> "I notice its [loyalty] changing a bit now, 'cause now they givin' out more time. If my homebody did a crime, and I didn't have no part of it, I'd tell now. You know what I'm saying, I'd tell now 'cause I ain't doing no time ..."[161]

As this young man's statement makes clear, "[d]rug dealers counting on gang member loyalty are unknowingly depending on the weakest link."[162] What's more, "[w]ith age and type of activity yielding often different leadership patterns, the drug dealer, like the police gang unit, will have a hard time controlling gang organization by controlling a few gang influentials."[163]

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[159] Both of Jerome Skolnick's papers, The Social Structure of Street Drug Dealing and Gang Organization and Migration, deal with the advantages of gangs for drug dealers.

[160] Klein and Maxson, in Drugs in the Criminal Justice System, Op. Cit.

[161] Skolnick, Op. Cit. p. 7

[162] Klein and Maxson, Op. Cit.

[163] Ibid.

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Even gang violence is not particularly well-suited for drug distribution purposes:

> "...[M]ost gang violence is expressive (i.e., usually spontaneous, impulsive, unplanned, responsive to immediate threats to self or status) rather than instrumental (i.e., usually planned, motivated by expected outcomes, rational, employed in service to delayed gain). One does not automatically or easily turn expressive into instrumental violence. Drug dealers don't need -- indeed, may be unwilling to tolerate -- the impulsive violence of the gang member who is overly sensitive to personal insult or status threat. A good drug sale should go down quickly and quietly. And by the same token, the hired gang member 'enforcer' may prove impatient with the planful form of threat, real or implied, used by the drug dealer to run a smooth operation. Yes, the gang may be a ready source of violence, but it may also be a poor choice in the presence of alternatives."[164]

Not to put too fine a point on it, many of the qualities which make gang members undesirable employees for legitimate businesses are equally unattractive for illegitimate businesses. What is more, the whole ethos of the gang is at odds with running a clandestine operation. Gangs are about public display. In their dress and their behavior, they draw attention to themselves -- and nobody pays closer attention than the police. This is the last thing any successful drug dealer wants, and it is one reason that big drug operators -- those who turn to drug dealing as a serious and successful career -- typically de-emphasize their gang activity or even leave altogether.[165] Their businesses depend on a degree of anonymity that the gang lifestyle does not permit.

> "In sum, the traditional street gang strikes us as ideal for drug distribution only in its journalistic form. The distributor's need for close-knit, controlled, dependable organizational forms will not ordinarily be met by the typical street gang whose form could bear the seeds for destruction of its benefactor.[166]

ARE DRUGS TRANSFORMING GANGS?

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[164] Ibid.

[165] This point was made by many local gang experts in interviews.

[166] Klein and Maxson, Op. Cit.

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If we look beyond Los Angeles for a moment, it is clear that no single pattern of gang/drug interaction is universal. Drug trafficking can flourish in a city with no street gang tradition, as it does in Washington, D.C. It can flourish in a city with a long tradition of street gangs and yet have little systematic interaction with them, as appears to be the case in New York.[167] Or, it can call into existence a different kind of gang altogether -- a "drug" gang, or an "entrepreneurial" gang, concerned with profits rather than with turf -- as happened in Oakland during the '80's.[168] The question for Los Angeles is, which pattern will ultimately prevail here?

A major weakness of academic inquiry in this area is that it trails so far behind changing conditions on the streets. Several of the studies discussed above, for example, are based on data that is more than five years old. While current conventional wisdom among local gang experts is that the research conclusions (which suggest a situation more like New York than Oakland) remain valid, it is important to consider evidence to the contrary.

At least four different types of gangs can be distinguished based on their patterns of drug use and sales: Even five or six years ago, there was hard evidence that some L.A. gangs might be changing their character in response to drugs. Investigating drug use and drug dealing among gangs in the mid 1980's, Dr. Jeffrey Fagan of Rutgers University conducted survey research among gang members in three cities -- Los Angeles, San Diego and Chicago. Based on their responses, he described four types of gangs:

-- SOCIAL GANGS: 28% of the gangs were of this type, which "is involved in few delinquent activities and little drug use other than alcohol and marijuana use. These gangs also have low involvement in drug sales (most likely to finance their own drug use). This is basically a social group whose patterns of use reflect general adolescent experimentation in drug use and delinquency..."[169]

-- PARTY GANGS: 7% of the gangs "have few members involved in nondrug criminal behaviors, but relatively high prevalence of several types of drug use, drug sales, and one type of delinquency -- vandalism. Their drug sales, in the absence of other forms of crime, are likely to be supportive of their own drug use. Their extensive involvement in drug use

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[167] Ibid.

[168] Skolnick, Op. Cit.

[169] Fagan, in Criminology, 1989, Op. Cit., p. 649

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suggests that their affiliation may be base on mutually supportive patterns of drug use and dealing to support group and individual drug use. This type seems to be a 'party gang' that otherwise manifests several of the subcultural and organizational features of gangs."[170]

-- FIGHTING GANGS: 37% of "gangs appear to include serious delinquents who have extensive involvement in several types of delinquent acts, both serious and non-serious, and both violent and property offenses. This type of gang's involvement in drug sales, however is far lower than for the 'party gangs,' as is their use of serious substances (cocaine, heroin, amphetamines, and PCP). [This] suggests that drugs play a secondary role in their criminal activities and that drug use is most likely recreational or social in nature..."[171]

-- INCIPIENT ORGANIZATIONS: 28% of the gangs fell into this category. They "differ from the [fighting gangs] only in their extensive involvement in serious drug use and higher rates of drug sales. We might speculate that ... rather than social drug use, their drug use and selling reflect a systematic relationship with other criminal acts... [T]his is a highly cohesive and organized type, and it is probably at the highest risk for becoming a more formal criminal organization..."[172]

Dr. Fagan noted that, compared to the other two cities, there were somewhat more "social gangs" and somewhat fewer "incipient organizations" in Los Angeles. He also noted, however, that it appeared that respondents in Los Angeles had under reported their participation in violence. Respondents surveyed in Los Angeles were predominantly Black, but the typology of gangs held up across ethnic lines in all three cities.[173]

There is disputed evidence that "entrepreneurial" drug gangs are developing in Los Angeles, especially among Black gangs: Fagan's

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[170] Ibid, pp. 649-50

[171] Ibid., p. 650

[172] Ibid., p. 651

[173] Ibid., p.652. Specifically, Fagan found that 38% of the gangs in Los Angeles were of the "social" type while only 14% were of the "organization" type. However, because the numbers in his L.A. sample were small, the differences between these percentages and the averages for all three cities are not statistically significant.

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findings, that a quarter (or less) of the gangs in Los Angeles show the potential for a concerted move into drug dealing, are consistent with surveys conducted by U.C. Berkeley researchers among California prison inmates in 1988 and 1989. That study concluded that "entrepreneurial" drug gangs predominated in Northern California, while Southern California gangs remained traditional or "cultural" -- but that the situation was changing dynamically in the south, especially among Black gangs, with a clear movement toward more "entrepreneurial gangs."[174]

Thus far, the Berkeley study is the only one which claims to have found evidence of such a transformation in Los Angeles. It has been widely criticized by fellow academics, in part because the results are inconsistent with other research, but also because it relied on a small and unrepresentative sample of those (prison inmates) most likely to have become involved in more organized criminal activities. Some also suggest that, insofar as the study is valid, it may document the rise of independent drug gangs rather than the transformation of traditional turf gangs.

This general skepticism is now shared by local law enforcement officials. They all agree that "drug gangs" of several kinds have emerged in Los Angeles -- including gangs composed primarily or exclusively of older gang members. They also acknowledge that some gangs, like the Playboy Gangster Crips seem almost to have become hybrid gangs, with a segment of the main gang specializing in drug dealing. Overall, however, most local experts flatly deny that the traditional Latino gangs are taking over as major distribution networks, and they are increasingly reticent in making such claims about Black gangs.

ROUTINE GANG/DRUG INTERACTIONS:

Only time will tell whether Black gangs, led by their older members, are in fact making a transition into drug gangs. Meanwhile, the Berkeley study is very useful in its descriptions of day-to-day accommodations between gangs and drug dealers. Reading between the lines, and interpolating other data, a fairly straightforward picture begins to emerge:

-- **Gangs are increasingly likely to exercise a degree of tacit control over those selling drugs in their neighborhoods.**

This does not imply that only gang members may sell (remember that three quarters of drug arrests do not involve gang members, even in high-gang areas), but it does mean that no members of enemy sets may do so:

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[174] Jerome H. Skolnick, The Social Structure of Street Drug Dealing; Published by California Department of Justice 1988

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"Gangs, they control ... they neighborhood. They control they neighborhood because it's gang territory. But a person can move a drug house in that neighborhood, as long as they show the gang respect ... it's the way you present you'self."[175]

Gang control can be formal or informal, but it is not to be ignored -- especially by rival gang members.

"If they knew you, it was ok. That's the thing about it, you can't go in nobody else's 'hood and sell -- you signing your own death warrant, if you do that."[176]

-- **Nevertheless, gangs do not control the supply of drugs.**

They are simply key players in the local business climate -- players to which drug dealers (gang and non-gang alike) must adapt. Depending on local circumstances, gangs may provide protection for drug dealers (free for members, at a price for independents -- this is known as paying "rent"). Or, if influential O.G.'s are involved in the local trade, they may manipulate the rest of the gang into helping enforce a territorial monopoly.[177] But such arrangements do not imply gang control over the drug supply:

"[N]o respondents [in the Berkeley study] reported that 'sets' completely control the supply of drugs in the neighborhood. Sets, by virtue of their power in the neighborhood, might enjoy de facto control over drug supply, but this has never been reported as an explicit aim or accomplishment of a set."[178]

-- **Many O.G.'s take on larger roles in drug trafficking. While some remain active in the gang, most do not -- either drifting away or gradually disengaging from gangbanging.**

Here's a young street dealer talking about his superiors: "We talkin' about makin' some money, but really, the people who *really* makin' it is the people we buy the dope from. Like my homeboy, ... he an O.G., he got hooked up with Cambodians. He go out of town, fly dope

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[175] Skolnick, Gang Organization and Migration, Op. Cit., p. 6

[176] Ibid.

[177] This kind of manipulation was widely cited in interviews with local gang experts.

[178] Skolnick, Op. Cit., p. 6

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in, big keys. He give them a coupla hundred thousand and he get us a gang of dope. But they the ones makin' the money."[179]

"[His friend] isn't so sure about that. 'Yeah, but my big homie, ... he go to Arkansas and he just rotate dope, see, he take dope to Arkansas, back and forth, back and forth. He do about ten keys that way, make a nice profit off it.'"[180]

One very successful O.G. ".. spoke openly about the benefits he and his family were deriving from his participation in the booming drug trade. He talked about being able to spread the money out in concentric circles that extended from his wife and new baby to include grandparents, aunts, uncles, and cousins."[181]

It is probably no accident that this man did not include his homies in the gang within the widening circle of beneficiaries. Because operations on this scale are conducted by individuals and small groups acting on their own rather than for the gang.

Drug activity of this kind is best thought of as phasing into a new career while maintaining old (and useful) business and social contacts. For reasons discussed elsewhere, few O.G.'s combine gang banging with full-time drug dealing:

"It's hard to do it [gang banging] if you got a lot of money. Cause you can't put all your time into trying to kill somebody else, and selling dope -- you can't do it. You goin' to jail sooner or later for a long time. So either you gonna try and have some money and go to jail like that for a long time, or you're gonna try and kill. People who got it good as far as selling dope, they stop gang banging. They don't do it no more."[182]

-- **Younger gang members are often recruited (or actively seek jobs) as street dealers. Typically, they continue to gang bang while dealing.**

As mentioned earlier, this is an individual choice about how to make money, not a gang-dictated career. Using the most expansive definition, at most a quarter of all gang members are

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[179] Bing, Op. Cit., p. 34

[180] Ibid.

[181] Ibid. pp. 212-3

[182] Skolnick, Op. Cit., p. 7

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regular drug dealers. Of the remainder, some stay out of dealing on moral grounds, others out of fear, still others out of a preference for some other way of earning money. Gang members do have a leg up on the drug trade, but only if they're so inclined:

> "[Being a gang member] is just an easier way to get in [to drug dealing]. It's like if you going to get a job and you have a high school diploma. If you don't have one, you ain't goin' to get the job."[183]

-- **Membership in a gang can be a kind of "finishing school" for drug dealers -- exposing young recruits to the trade, introducing them to the necessary local connections, etc.**

Having a steady supply of "graduates" coming up behind them makes it easier for O.G.'s to branch off into the drug business. And, conversely, having their O.G.'s already established in the trade makes it easier for young gang members to get jobs as street dealers. Indeed, a kind of apprentice system sometimes develops:

> "Older gang members often not only introduce younger members to drug dealing but also routinely offer these younger members pre-packaged drugs on consignment, to be sold for easy 'double-up' profit. This economic 'good will' gesture is, if need be, accompanied by instruction in such things as the standard quantities of drugs to be sold, the going prices, whom to sell to and whom to avoid, the best locations to sell, and the best way to avoid being caught by police. In turn, the older gang member-dealer can count on a steady peddler of his contraband. He can also call on the younger member to perform various illegal tasks -- ranging from holding drugs to working shifts in a rock house to carrying drugs between locations -- to further insulate the older dealer from police scrutiny."[184]

-- **Despite such arrangements, gang members remain essentially independent agents.**

Like this young man, they are likely at any time to strike off on their own:

> "I get mad if somebody try to steal my customers. Like -- you can't sell dope around O.G.'s 'cause they try to take all the customers. I started off workin' for an O.G., but then I branched of on my own. See, at first,

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[183] Ibid., p. 5

[184] Ibid.

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when I was workin' for a roller [high-roller = drug dealer] I thought a hundred dollars was a lot of money, but then I came up and came up and came up. Kept buyin' more dope, like -- if you get 20 rocks of crack, see, you sell that, go get a forty ... And that's how you come up."[185]

-- **As with any business, there are a few gang members who do extremely well dealing drugs; a large number who make a modest living; and a great many who fail utterly.**

How lucrative all this is depends on who's talking and how much they want to impress. Here's a fifteen-year-old:

"I mostly sell crack cocaine. You can make some good money that way -- it all depends on where you go. Some places pop more than others, you know? Like when I first got started -- me and my homeboy ...? -- we had our own dope house. We made money, [@#%!] we made money. Made like eight, nine hundred in about ... well, from about eight in the morning to about one, one-thirty in the afternoon."[186]

Of course, this particular boy is speaking in the past tense. He is also speaking from juvenile detention camp. So, even if his account is taken at face value, his income has not exactly been regular. Presumably some other street dealer is now supplying his erstwhile customers.

Local law enforcement officials are very skeptical of such reports, which tend to be repeated uncritically in the media. They point out that it takes luck and skill to survive as a street dealer. If the police don't get you, robbers and other drug dealers will. It's true that in certain situations young kids can make $1,000 or more in one day, but sustaining it is quite another matter. One veteran of the drug wars estimates that $500 a week would be a very high income for most gang street dealers. Few are getting rich.[187]

The successful few, however, are extremely powerful role models for desperately poor ghetto youths. Here's an O.G. who once ran a successful drug network. Retired at 25, he now lives on dividends from investments purchased with drug profits. He pays taxes, owns a nice home, enjoys his 40-foot power cruiser, and collects classic cars. Yet he says "if that's a [@#%!]ing

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[185] Bing, Op. Cit., p. 58

[186] Ibid., p. 32

[187] Interview with Lee Gonsalvez, CYA Gang Services Project

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world of money, then I wasn't makin' even a pebble of it." He has this to say about those who worked for him:

> "Aw, hell...let's get real with it. We got people out there, twenty-five years old, sellin' dope 'cause they just want to pay their bills. They're not out there tryin' to get some fancy car! They just want to keep their lights on, keep their gas on!...Them people can't nail down no decent jobs, and you tell me about any baller [big drug dealer] who's gonna tell 'em 'no' when they come lookin' for work."[188]

This man believes that higher ups -- including the U.S. government and politicians -- are making the real money in drugs, not gang members. Law enforcement analysts might not agree with his premise, but they tend to concur that the amount of money being made at the lower levels of the drug trade is grossly exaggerated.

-- **Gang members who sell hard drugs typically do not use them, and look down on people who do.**

The Probation Department reports that gang members arrested for drug dealing rarely show up with "dirty" drug tests while on probation. This is in sharp contrast with the traditional drug dealer who sells mainly to support his own habit. Gang members sell dope to make money. They are not habitual drug users.[189] What is more, whether because of an intimate familiarity with the consequences, or simply because doing business with an addict is a fool's game, gang street dealers have low tolerance for drug use by anybody they care about or depend upon:

> "Most members of the clique would deal rock. Some members would take rock. But those that use rock -- we still consider them as homeboys -- but we don't too much [@#%!] with them because they's the one that's going to bring us down."[190]

> "[I sell it] But I don't smoke it ... [Referring to crack addicts] He makes a contemptuous sound, reminiscent of [a] hiss. 'Cluckheads.' He turns his whole body to look seriously at the kid sitting next to

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[188] Bing, Op. Cit., p. 223

[189] L.A. County Probation Department, "Gang Community Reclamation Project," Application to U.S. Department of Justice; June, 1988: p. 2

[190] Skolnick, Op. Cit., p. 5

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him. 'How would you feel if a member of your family was doin' that shit?' [The kid] narrows his eyes and shakes his head. 'Tell the truth, if my family was on drugs, it'd be just like they was deceased. And I wouldn't care if I lived or died, either. I wouldn't care about nothin'. Might even kill 'em myself, put 'em out of they misery.'"[191]

Members of L.A. gangs are forming national drug distribution networks: There is no dispute that L.A. gang members are showing up in other cities and states dealing drugs:

"The federal Drug Enforcement Administration (1988) claims that Los Angeles Street gangs, especially older former members of Crips have been identified selling drugs in forty-six states."[192]

Gang members themselves confirm the trend. Here's a Crip serving time for drug dealing:

"Everywhere you go, you know what I'm saying, anywhere you go, you're gonna see some people from L.A. If they got, you know, a dope house out there, or a dope street out there, you gonna see somebody . . . you'll run into somebody on that street from L.A."[193]

As a result of this migration, L.A. gang experts are in great demand around the country to instruct and assist colleagues in other states. They report two somewhat contradictory reactions when summoned to give advice on a potential gang problem. The first is a high degree of naivete and denial about the presence and influence of L.A. gang members. The second is a highly exaggerated, media-hyped estimate of that same presence.

One man recalls driving around a high crime neighborhood in a southern city and being assured that there were no L.A. gang members present. Not only did he recognize individuals from Los Angeles, he was able to explain to the puzzled locals why the number 187 was being scrawled on neighborhood walls -- as the California Penal Code chapter for homicide, 187 is a routine threat in L.A. gang graffiti. Other L.A. gang experts report similar situations where local authorities were puzzling over unfamiliar street names used in gang graffiti -- like "Hoover."

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[191] Bing, Op. Cit., p. 59

[192] Spergel, Op.Cit., p. 47

[193] Skolnick, Op. Cit., p. 8

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Once the L.A. presence is acknowledged, however, it tends to be grossly exaggerated or, in some cases, simply imagined. Local kids wearing Raiders jackets and trying to build a reputation by claiming to be from L.A. may be accepted at face value by the police, for example. Or a city may prefer to think that its entire gang problem is the result of immigration from L.A., rather than face up to a mostly local situation. A recent article on the gang problem in Las Vegas, for example, reports 15,000 gang members there and implies that this mass of people recently immigrated from Los Angeles.

There is a fairly simple pattern to gang migration: Most knowledgeable observers agree that, with a very few exceptions, L.A. gangs are not engaged in a centralized or systematic expansion into drug markets. Nevertheless, there is a pattern to gang migration. It appears to be driven by the normal process of families fleeing the poverty and crime of central Los Angeles. In many cases, teenagers already committed to the gang lifestyle move with their families. And wherever gang members land, full-fledged gangs and associated drug dealers follow close behind.

With Latinos this outward movement has the look of traditional upward mobility -- families leaving the core barrios for newer neighborhoods within L.A. County. While this has resulted in the rapid formation of Latino gangs virtually countywide, there have been no reports of L.A. Latino gangs migrating to other cities and states -- nor even to neighboring counties.

With Blacks the pattern looks more like flight. Families are not necessarily moving up, but they are definitely moving out. The main expansion has been out of the county and into nearby cities, with growth essentially following the freeway system. Riverside and San Bernardino are prime examples. There is a well-documented movement out of state as well -- especially back to the southern states. Law enforcement officials also report a trend of families sending troubled kids to live with relatives throughout the country. Parents hope that a change of scene will wipe out gang influence. Instead, these youths often introduce L.A.-style gang culture to new cities.

Not only is the pattern of movement different for Blacks and Latinos, so is the typical gang member's behavior upon arrival in a new neighborhood. Latino gang members do not travel well. They are strongly loyal to their old barrios and loathe to leave them. If they do leave, and if the new neighborhood already has a gang, they will not "claim" it. If anything, they are likely to start a new branch of the old barrio gang.

Black gang members are also provincial and wary of new places. But because they are less intensely loyal, they are also more adaptable travellers. It is not unknown for a Black gang

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member to "claim" several 'hoods, depending on where he is at the moment. On arriving in a new town, he is quite likely to take up with the local gang -- teaching them, in the process, how things are done in L.A.

Gang members have good business reasons for travelling to sell drugs: When a gang member moves to a new city, or simply visits a relative there, he is likely to find two things:

1) A powerful, media-driven fascination with, and respect (or fear) for, gangsters from Los Angeles:

> "Because other cities, they consider L.A. a crazy city which it is. You know what I'm sayin? ...like cities with gangs not like us, they look at us like, 'you [@#%!]'s is crazy'... you get a lot of respect."[194]

2) A provincial drug market with limited supplies, high prices and little competition:

> "Out of town where nobody else ain't at ... that's where the money's being made because there's too much competition in Los Angeles. It's got too many dope dealers in Los Angeles competing against each other. So they take it out of town. The profits are better. Here you can sell an ounce for $600, over there you can sell it for $1,500.[195]

If the kid has been into drug dealing at home, he is quick to see the financial possibilities. Even if he has not been involved, he's likely to stay in touch with homies in L.A. who are. Either way, word quickly gets back to Los Angeles where it mightily interests a small but important class of gang member:

> "There are two categories of gang member, see -- hustlers and warriors. The warrior is satisfied by wielding weapons within his own, or somebody else's neighborhood. He is propelled from here" -- [the O.G.] taps the area over his heart. "He acts and reacts. The thing foremost in his mind is to put work in. . . The hustlers are thinkers. Constantly expanding their horizons through revenue. A hustler will look outside his own neighborhood at another state, say Hawaii, not as a place to conquer, but as another place to go to make money. Or to seek refuge, possibly."[196]

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[194] Ibid., p. 10

[195] Ibid.

[196] Bing, Op. Cit., P. 242

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Though the "warriors" back home in Los Angeles are not much interested in drug markets far from home, many of the "hustlers" are. But not all; some simply refuse to travel. They fear doing time in out-of-state prisons. They fear extremely long sentences in other states, or in federal court. They are reluctant to leave friends, family and neighborhood. And they are content with the income they can earn selling drugs in L.A.[197]

Despite the risks, however, there is a ready supply of "hustlers" -- gang members and ex-gang members alike -- who deal drugs and are willing to travel when word arrives of a ripe new market. They are pushed by fierce competition and police pressure in L.A. And they are pulled by high prices and weak competition elsewhere.[198]

Out of town drug dealing is often run by older gang members but not controlled by gangs: While these travelling entrepreneurs may be members of a gang, they are not its agents. They act on their own, or in independent groups, not on behalf of their neighborhood gang. They are, as the DEA notes, mostly "older former Crips." In addition, they have quite consciously put the values and conflicts which are central to gang life on hold:

> "As for that Crip and Blood thing, that's not going on outside of town."[199]

This is not to say that L.A.-based gang wars never erupt on the streets of other cities. But gang confrontations among drug dealers are very much the exception rather than the rule:

> "Everybody trying to keep a low profile. Everybody like, 'there's enough out here for everybody. Just don't step on nobody's toes.' We never got into it. It's all about money; money come first. You can gangbang anytime."[200]

As with all O.G. and ex-gang member drug operations -- in L.A. or out of town -- help is often recruited from the ranks of the gang. But when an O.G. dealer takes young gang members on the road they, too, must learn to shed gang values. Otherwise they will be more trouble than they are worth:

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[197] Skolnick, Op. Cit., p. 10

[198] Ibid.

[199] Ibid. p. 13

[200] Ibid. p. 13

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"But see out there you got these 16 and 17-year-olds want a name for themselves ... Some of them that went out there with me want to know 'where the Bloods at? Where the slimes at? Let's go get off on them.' I said, 'I'm not goin' nowhere, I'm not showing you how to get around out here' ... I ... care because it bring the heat on me if they do something outside a one of my houses."[201]

Ironically, traditional street gangs may be better suited to widespread drug operations than are overtly drug-oriented gangs: It may seem that to distinguish between a street gang and an entrepreneurial "drug-gang" composed largely (or entirely) of current or former street gang members is to make a distinction without a difference. But according to the Berkeley team which has done the most research in this area, the difference is not only real but practical. In fact, it explains why L.A.'s Black gangs have migrated and the Bay Area's have not.

Because Bay Area drug gangs are basically hierarchical business operations, they have a less powerful mystique and a less appealing package of values and rituals to tempt recruits in new communities. In addition, vertically organized gangs like these foster intense (often murderous) internal competition and distrust. Their structure discourages individuals from branching out on their own, makes members less likely to share information on new markets, and makes them less likely to work cooperatively to exploit them.

L.A., of course, does not lack for murderous enmities; but these mostly find expression between gangs rather than within them. Here, gangs remain cultural rather than entrepreneurial in focus. That is, they are built on loyalty and a commitment to neighborhood which (at least in theory) transcends business arrangements. Ironically, this equips them admirably to transact business across state lines.[202]

Bonds of trust and loyalty (rather than mere profit/loss calculations) keep intelligence flowing in from homies who've moved to new surroundings. Meanwhile, horizontal organization imposes few limits on individual initiative in responding to the marketing information. No vertical gang structure is compromised if one or more members move to serve new drug markets, no gang trust is broken. Naturally, there are rivalries and betrayals, but these are essentially business disputes between individual retailers (or perhaps between retailers and wholesalers). They do not touch the core of the gang's existence, they do not

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[201] Ibid. p. 14

[202] Ibid. p, 18

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undermine the socio/ideological basis for its unity.

In addition, if law enforcement succeeds in breaking up a drug operation of this kind, it does not compromise the larger gang -- nor even necessarily lead to further inroads in the drug activities of the gang's other members. Because these operations are independent of any overarching gang hierarchy, they are difficult and tedious work for law enforcement. Instead of looking for "Mr. Big," or "the syndicate," drug agents must break numberless, unconnected rings of small and medium operations.

A mini-case study in Kansas City: The following excerpts are from a study by Jerome H. Skolnick.[203]

> "In 1989, the narcotics officers I interviewed estimated that the majority of the crack cocaine in Kansas City -- perhaps 60-70% -- originated in Los Angeles...Why did Los Angeles gang members migrate to Kansas City?...[The city] was not selected as the result of a strategic decision or a marketing survey. Although drug distribution demands a degree of organization -- surely a legal 'conspiracy' -- it is not that well organized. The Crips and Bloods who migrated to Kansas City operated in a world of kin organization rather than an overarching criminal organization. Those who migrated had friends or relatives, informal social connections in both cities....[These individuals] but not the 'gang,' recognized the potential for profit ....they could sell drugs in Kansas City for at least twice the price of what comparable drugs might sell for in Los Angeles."
>
> "These are not youthful gangbangers. The Crips and Bloods who transport drugs from Los Angeles are people who are older than the typical gang member. They are young men in their 20's who have survived gang-banging, who are original gangsters, quite savvy and experienced in criminal activities and in dealing with and usually avoiding the police."
>
> "When they first arrived, they and their gang associates exhibited their colors, and graffiti appeared in various neighborhoods. The police believed that this was a strategic move, an effort to mobilize local youngsters impressed with the aura of the Los Angeles gang....But the tactic partly backfired. when drug dealers wear gang colors or use graffiti, they bring unwanted police attention to themselves.

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[203] Drugs, Gangs and Law Enforcement, Jerome Skolnick, published by the California Department of Justice, 1990

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> Rational drug dealers try to deflect police attention and so the show of gang symbols has diminished...[Those who make these displays and call themselves Crips and Bloods] are usually not California kids. They are Kansas City youngsters, 'wanna bees' who are using these symbols as a way of marking out their turf and of showing some identity with Los Angeles gangs."
>
> "At the same time, the actual Crips and Bloods supply Kansas City with a regular supply of drugs...[but] are generally inconspicuous, very quiet...Police do not discern a pattern to all of this. As one of them said, 'When they leave California, they're either tired or maybe they're fearful of being killed in L.A., or they just come out freelancing. We've seen graffiti from the 69th Street Crips and the Inglewood Family Gangsters, but it doesn't mean that much.' At the same time, the title of Crip or Blood is said to enjoy a positive association among Kansas City street drug dealers. The Crips and Bloods are known to be capable of murder. That association and that reputation intimidates potential competitors."

At home or away, the gang/drug connection is intimate but indirect: In summary, the picture of gang involvement with drug dealing is much the same whether the selling is done at home or on the road. Gang members are involved, but gangs are not. The gang may serve as a finishing school for drug dealers, but it not only retains a separate existence, it fosters values and conflicts inimical to the business of drug dealing. The long range question is whether the powerful economic lure of drug dealing will override traditional values and transform the gangs. Though there are signs that this may happen -- led, perhaps, by older gang members in the Black community -- it has not happened yet. As things stand now, connections between gangs and drugs in Los Angeles are intense; but they are not fundamental.

Gangs and drugs must be treated as separate, though related, problems: Low-income, minority neighborhoods plagued with drugs and gangs are like patients suffering simultaneously from heart disease and cancer. No doctor can treat one disease without taking the other into account. But curing one will not cure the other.

The implications for public policy are plain: In certain situations it makes good sense to address both gangs and drugs at the same time; and some policies, like increasing the number of police patrolling crime-infested neighborhoods, would be good medicine for both. But solving the gang problem would not put much of a dent in the drug problem. Nor would victory in the war on drugs do much to end gang wars in our streets.

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GANGS AND VIOLENCE:

It is generally, and accurately, believed that gang members are more violent than other youths and that they are getting more violent with time.[204] This raises two questions: Is gang violence in Los Angeles rising more rapidly than violence in general? And, if so, why?

Unusually large numbers of gang members participate in violence: Gang members account for a disproportionate share of violence not because they are markedly more violent than other violent offenders, but because so many more participate in violence:

> "Despite versatility in offending patterns for both gang and nongang youths, there appear to be a 'violent few' within each group. Whether inside or outside the gang, the frequency of violence appears to be similar for those involved at all in violence. Yet more gang members are involved in violence. The context of gang life may offer more opportunities for violence ... At the same time, there may be a self- or social selection of violent individuals into gang life ... "[205]

In a major survey of adolescent youth, a little over half of all gang members reported some degree of participation in violence, usually minor or isolated. This was a much higher rate (by a factor of four) than for nongang members. As for the "violent few:"

> "There are nearly twice as many 'frequent' violent offenders among the gang members in this study compared with males in other adolescent samples." [206]

It would be misleading, however, to envision gang members as full-time muggers and shooters:

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[204] Dr. Cheryl Maxson points out that there is dissent on this point. Some researchers maintain that gang members show up more frequently as violent offenders only because they are high-rate offenders. Proportionately, their rate of violent offenses may be no higher than for other, less active, criminals. Even if valid, however, this is probably a distinction without a difference in practical terms.

[205] Fagan, in Gangs in America, Op. Cit. p. 199

[206] Fagan, in Criminology, 1989, Op. Cit., p. 648

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"Overall, violent acts (other than robbery [207]) and drug sales were the individual behaviors least often reported as frequent by gang members... [G]ang violence still is a relatively infrequent behavior for gang members compared with nonviolent behaviors. The prevalence of frequent violence among gang members..., however, is still higher than among other adolescents."[208]

Gang violence appears to be on the rise: Gang violence is nothing new in Los Angeles. As measured in homicides, it has tended to rise and fall in long cycles lasting five to ten years. But the upward trend in recent years is undeniable:

"The cycles of gang homicide now seem to end higher and retreat to higher plateaus before surging forward again. If homicide is any indicator, gang violence has become a far more serious problem during the most recent decade." [209]

Not everyone would agree that these numbers indicate a rising level of violence among and between gangs. Alternative explanations could include: "...a growth in the number of gangs or gang members ... an increasingly violent society ... [and] more sophisticated gang intelligence."[210] (See discussion on numbers and trends in next chapter).

Most experts believe that the rise in gang violence is not explained by a general rise in societal violence: Some of those we interviewed doubt that gangs have changed their attitudes toward violence any more than society as a whole. They point to a rising tolerance for violence in many spheres of modern life and argue that gangs are merely reflecting, and participating in, the general trend.

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[207] Ibid., roughly 10-15% reported committing some form of assault frequently; 22% reported frequent robberies.

[208] Ibid. p.647

[209] Malcolm Klein and Cheryl Maxson, "Street Gang Violence," in Violent Crime, Violent Criminals, edited by Wolfgang and Weiner; Beverly Hills, Sage Publications; 1987; p.4

[210] Cheryl Maxson and Malcolm Klein, "Street Gang Violence: Twice as Great or Half as Great," Social Science Research Institute, U.S.C., 1989, p. 218. This is a draft version of a paper later published in Gangs in America. The draft is cited by Spergel, et. al.

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This is a minority view, however. Most local gang experts recognize and fear a societal trend toward increased violence, but they believe that gang violence is on the rise independently of, and well in excess of, the general trend. Several commented that young people have "lost all respect for human life." A law enforcement veteran elaborated on the theme:

> "[There is] a definite increase in the deliberate intent to kill -- we are not dealing with a string of deaths that happened because a gun happened to be handy. There is a social tolerance of the saturation of violence, which results in a complete lack of inhibitions about killing. Many [gang members] have no problem-solving skills. Their only answer is to kill the problem. In addition, there is an increased sense of effrontery and honor that is easily offended by any slight, leading to many shootings. We are dealing with people socialized to be sociopathic."[211]

The rise in gang violence is not uniform and appears to be driven in part by an intergenerational dynamic: Research on Latino gangs confirms the rising trend even as it notes that levels of violence are not uniform between or within gangs. They vary from clique to clique depending on the number of members who define themselves as "loco," and whether their concept of "locura" centers on violence or substance abuse:

> "Even though we found considerable variation in the levels of lethal violence from one clique to another, younger cliques are significantly more violent than older ones... In recent years, gangs have acquired 'serious' guns, and the weapons are often used impersonally -- in the infamous drive-by shootings, rather than in hand-to-hand inter-gang fights. The escalation of violence also seems to have something to do with intergenerational dynamics. Younger members often want to match or outdo the reputations of their predecessors."[212]

Local experts confirm the generational aspect of increased violence. Many point to the decline in traditional gang values, and a loss of respect for elders, as key factors -- especially in

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[211] Interview with Sgt. Wes McBride, L.A.S.O.

[212] Joan Moore, "Changing Chicano Gangs: Acculturation, Generational Change, Evolution of Deviance or Emerging Underclass?"; in James H. Johnson, Jr. and Melvin L. Oliver, Proceedings of the Conference on Comparative Ethnicity; Los Angeles; UCLA Institute for Social Science Research, June 1-3, 1988; p. 10-11

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the Latino community. While yesterday's gang members were not exactly choir boys, they are said to have been far less casual about homicide than the hard core gangbangers of today. There was also a tradition of negotiation among the veteranos that sometimes served to cool off disputes short of major violence. Today, such measures are disdained; veteranos are often seen as benchmarks to surpass rather than elders to consult; a quick recourse to violence is nearly automatic.

Intangible changes like these are impossible to quantify. Many prefer to analyze violence in more concrete terms. They point to three factors: the explosion of drugs and drug trafficking; increased firepower; and new turf battles sparked by the rise of immigrant gangs.

Gang violence does not appear to be explained by drugs: While it makes intuitive sense and good copy that drugs and gangs are inherently a violent mixture, it does not appear to be true -- except, perhaps, indirectly. Illicit drugs tend to breed violence in <u>all</u> settings, but they do not seem to have an especially severe impact on gangs. Indeed, since gangs have long been steeped in violence, the drug explosion may have affected them less in this regard than it did nongang criminals. As previously discussed, research into drug homicides confirms that gang homicides are much less likely to be motivated by drugs than are nongang homicides.

It is also hard to discern any drug-related differences between gangs in terms of violence:

> "Serious crime and violence occur regardless of the prevalence of drug dealing within the gang. All gangs were involved to some extent in drug dealing, but ... involvement in use and sales of the most serious substances does not necessarily increase the frequency or severity of violent behavior. And there remains a small group of gangs who are heavily involved in drug use and dealing but avoid collective violence."[213]

This is not to say that drugs are unrelated to violence. It is only to say that the relationship, while strong for gang members as individuals, is weak for gangs as organizations:

> "The high prevalence of drug use among 'social' gangs and of drug use and selling among 'party' gangs suggests that drug involvement is not inextricably linked to violence. [There is] a high prevalence of violence among gangs with both high and moderate involvement in drug selling and also with low-to-

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[213] Fagan, in <u>Criminology</u>, 1989; Op. Cit.; p. 660

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> moderate involvement in serious substances. One must look to factors other than drug involvement to explain violence among gang members. On the other hand, a strong relationship exists among violence, serious crime, frequent intoxication, and drug dealing among gang members, just as there is among other inner-city residents."[214]

Drug money has helped gangs acquire deadlier weapons: It does not follow that drugs are unconnected to gang violence simply because gang members continue to kill each other for traditional reasons rather than for control of the drug trade. On the contrary, cash derived from the sale of drugs has escalated gang warfare by making it easier for gang members to acquire new weapons. Indeed, it is conceivable that nothing has changed about gang violence except the quantity and quality of gang weapons. It is indisputable that high-powered, semi-automatic guns have profoundly altered the balance of power on the streets.

These weapons began to be more easily available to the public during and after the Vietnam War. But they did not become big factors on the gang scene until "crack" cocaine exploded in the mid-'80's. Before the "crack" profits rolled in, such weapons were too expensive and difficult to obtain for most gang members. There was no shortage of guns, but they were obtained the old-fashioned way; they were stolen:

> "See, every household keeps a gun and so when we ... were young, that's how we got our guns... Need guns fo' the homies? Somebody go break in a house, come away with, like, three, four guns for the neighborhood. But then, when the cocaine thing came around -- [@#%!], just go *buy* a gun. And then, as the cocaine came around more and more, most of those people whose houses you used to break into, they started in smokin', so they bringin' the guns to you now, to trade...[saying things like] 'Oh, I got this nice fresh nine millimeter for y'all.' ... And people jump on that [@#%!] for real."[215]

At first the most desirable guns were AK-47's and other assault weapons. But machine pistols like the Mac 10, which are easier to handle and to conceal, are clearly the weapons of choice today. These guns are less likely to be kept in private homes. So gang members must steal or buy them from local gun shops, buy them at unregulated gun shows, or deal on the black

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[214] Ibid. p 651-2

[215] Bing, Op. Cit., pp. 223-4

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market. At one time, that was a real barrier. But no longer:

> "[One thing drug money does for a young gang member is] your artillery gets a little heavier. Because now you can just go *buy* a Mac 10 if that's what you want, instead of burglarizing somebody's house to get a weapon."[216]

More plentiful, more powerful weapons cause more violence: When good weapons were rare, a clique (or even a whole gang) might share one. It would be kept by one member in an agreed upon place. The system still survives in gangs that are not flush with cash (especially Latino gangs, which are less frequently involved in lucrative drug dealing).[217] It is also common in all gangs among younger cliques. Not only do youngsters have less money and less access to weapons, they are more likely to have problems keeping a gun without parental interference.[218]

Shared weapons had (quite unintentionally) some built-in checks on their ill-considered use. First, a certain amount of time and effort were required to get the gun -- providing a cooling off period. Second, on some occasions the gun could not be obtained at all (the homie isn't home; someone else has borrowed the gun; etc.). Third, using the gun became on some level a group decision. The person who wanted to borrow the gun would have to explain what he intended to do with it. This provided an opportunity (probably seldom used, but available) to talk someone out of a foolish or dangerous move.

With cash and guns more readily available, all such constraints have vanished. Some gang members now carry weapons with them at all times. Many have them stashed for quick retrieval. Spur of the moment shootings are common. Instead of having a chance to deter violence, companions may find themselves committed by a friend's sudden impulse.

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[216] Ibid. p. 223

[217] For example, see the cover story of the Los Angeles Times Magazine, --------

[218] It has been suggested that these facts in themselves might account for a rise in violence: "The older ages of gang members may also be responsible for greater use of sophisticated weaponry and consequent violence. More and better weaponry may be available to older teenagers and young adults than to juveniles." Spergel, Op. Cit., p. 39

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The new weapons are more forgiving of bad marksmanship: Not only are there more shootings, the shootings are deadlier than ever. By and large, gang members have always been miserable shots -- perhaps because they have neither the inclination nor the discipline to practice regularly. Add to that the considerable difficulty of hitting a moving target from a moving vehicle, and drive-by shootings with regular guns were hit-or-miss affairs -- with the emphasis on miss. More people survived than were killed. Death was a matter of luck.[219]

Not so with automatic and semi-automatic weapons. They were designed for killing people efficiently in the stress of combat, so they don't require much in the way of accuracy. One squeeze of the trigger can spray a dozen bullets. Even the worst shot has a good chance of hitting his target. He also has a much improved chance of hitting an innocent bystander -- not only because he is firing many more bullets, but because each bullet is often capable of penetrating multiple walls and doors.

Fewer constraints on violence, more shootings, fewer misses, and a greater chance of killing innocent bystanders -- that's a sure-fire recipe for accelerating the classic action/reaction cycle of gang attack and revenge. So it may be that gang attitudes have not changed at all; that current levels of violence were always implicit within gang values; that more money and better guns simply permit the full and deadly expression of those values.

Divisive though the issue is, L.A. County should examine all options for reducing the availability of guns to gang members: With so many powerful weapons already on the streets -- and so much drug money available for buying them -- trying to deal with this problem will be like trying to put the genie back in the bottle. The fact remains, however, that virtually every authority consulted for this study cites the easy availability of powerful weapons as a major contributor to rising violence. Furthermore, a distinction should be drawn between wealthy drug dealers, who will always be able to purchase guns illegally if they want them, and the average teen-aged gangbanger for whom weapons acquisition is a more formidable problem. If there is any prospect of slowing or reversing the local arms race, L.A. County would be foolish not to review its options.

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[219] In previous decades, drive-by shootings were much less common, perhaps because the chances of hitting the victim were slim, perhaps because cars were less readily available. In any event, the necessity of shooting someone on foot, perhaps face-to-face, may have had a limiting effect. It is a more intimate and difficult act, psychologically, and it raises problems of escape -- not to mention higher chances of being seen and recognized.

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California has already taken some important steps -- outlawing assault weapons and imposing a 15 day waiting period to prevent felons from purchasing guns.[220] In the absence of stronger state and national laws, local governments have tried a number of different approaches to reduce the availability of weapons to teenagers. They range from programs to buy and destroy weapons with no questions asked, to full-fledged attempts to ban the local sale of all handguns. In between are steps like strictly regulating prime sources for illegal guns -- gun shows, renegade gun shops, etc. Whether any or all of these measures are feasible in Los Angeles is a matter for public debate. Given the extraordinary levels of gang violence in this community, that debate should be joined in earnest.

Profit-driven violence may be growing among older gang members: As indicated earlier, there is a sharp division by age within gangs, especially in the Black community, in terms of drug involvement. Those in the traditional peak years of gang activity -- teen-agers, mainly -- mostly continue to adhere to the traditional gang lifestyle. Their violence is related to turf, status and revenge. Their involvement with drugs is basically that of part-time employment.

Among O.G.'s at the traditional age for exiting the gang -- early twenties and older -- there has been a considerable movement into mid-level drug dealing. In general, these young men exist in a kind of netherworld between gangs and organized crime. They have maintained (and continue to make use of) their gang affiliations, and they are still listed on law enforcement files as gang members, but they have pulled back from active gangbanging in favor of pursuing their business interests.

Some would argue that these men have formed entrepreneurial "drug gangs" -- and that, eventually, their groups will transform and displace the traditional gangs. It could also be argued that these organizations are basically "senior branches" that can exist in a symbiotic or parasitic relationship with the traditional gangs without changing their fundamental character. In either case, we are witnessing something new in Los Angeles. It may also be that this new phenomenon has a new type of violence associated with it:

> "There's another war goin' on right now, and it's on another level...It's in the older generation, the so-called O.G.'s -- the ones that have the money. And it isn't just about, 'He's a Crip, let's kill him -- or,

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[220] The California Department of Justice recently reported that approximately 6,000 would-be purchasers were denied permission to buy firearms last year.

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he's a Blood, let's smoke *him*.' This is all about 'He's a baller [big drug dealer], let's go kidnap him and hold him for ransom."[221]

The man went on to describe the ramifications of such a move -- from kidnap and torture, to pitched gun battles, from retaliatory murders to the potential abduction of family members. None of this would be considered gang violence per se -- that is, such crimes are not about turf or traditional rivalries. Yet they can follow gang lines. Nor would this be considered conventional drug-violence -- that is, the crimes are not about access to drug supplies or sales territories, nor about ripping off drug stashes. Yet they could perhaps be described as precursors of drug-violence.

The only indication that such violence is rising is anecdotal. There are no statistics and, given the nature of the participants, these exchanges would tend to be clandestine. But this kind of thing might be typical of a maturing, over-served drug market -- a market in which easy expansion is no longer possible and shakeouts are unavoidable. If that is the situation in Los Angeles, then we must expect more violence as increasing numbers of older gang members try to cut their own slices of the drug pie.

Immigrant gangs have sparked a resurgence of violent "turf" wars: One theme that emerged repeatedly in our interviews was the significance of new immigrant gangs, especially in the Latino community. The traditional cholo gangs in East Los Angeles and other older, established Latino communities are now several generations old. Their members are American-born and fully acculturated into urban, Mexican-American culture. Though still powerful, these gangs can be said to have reached a kind of equilibrium. Their turf and traditions are well-defined, as are their historic relationships with neighboring gangs. Their numbers are stable -- or even declining as succeeding generations assimilate more completely, or simply move away. As gangs go, the potential for violence among the traditional gangs is reasonably low under normal circumstances.

Outsiders might assume that new Spanish-speaking immigrants would simply be absorbed without disturbing the equilibrium. But the reality is quite different. Poor, rural, non-acculturated newcomers to the neighborhood are not usually welcomed into a cholo gang. This is true even for Mexican immigrants, and doubly so for Salvadorans and other South and Central Americans. Nor is the phenomenon unique to Spanish-speaking immigrants. Within the various Asian communities as well, there is a gulf between

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[221] Bing, Op. Cit., p. 231

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earlier arrivals and today's FOB (fresh off the boat) young people. In every immigrant neighborhood, new arrivals are looked down on, ridiculed, resented, even preyed upon by established gangs. Not surprisingly, they react by forming new gangs of their own.

These new gangs create a truly explosive situation. In part this is simply because the tensions between native-born and immigrant now find group expression. More fundamentally, the new gangs tend to claim the same turf -- or, at a minimum, to impinge on the same turf -- that has been held by traditional gangs for decades. When a single gang dominated each neighborhood the greatest potential for violence was at the edges, where turf boundaries met. Today, by contrast, there is often a mixture -- and a highly combustible one -- of rival gang members living in the same neighborhoods, attending the same schools, gathering in the same parks. The potential for violence is almost limitless. Many of the hottest, deadliest gang wars in Los Angeles grow out of such situations.[222]

Some observers believe that this new gang/old gang conflict is exacerbated by the ferocity and iconoclasm of the new gangs. The immigrant youths have not been steeped in the traditional gang values for generations. They have less respect and deference for veteranos; their focus on neighborhood is less; and their focus on protection and profit is higher. In this they more closely resemble the Black gangs than the older Latino gangs. Not coincidentally, they are more likely to emulate the violence and the style of Black gangs, picked up through the media and popular culture.

Inter-ethnic gang warfare has been rare in Los Angeles, despite the steady movement of Latinos into traditionally Black neighborhoods. But the formation of new immigrant gangs may be changing that dynamic, too. The most notable example is the sharp conflict between Latino and Cambodian gangs in Long Beach. As Asian immigrants push into Hispanic areas, and both groups press on the edges of Black neighborhoods, the potential for such violence will rise.

Violence may eventually reach levels that are unsustainable: These days, a common theme of interviews with gang members is the desire to get out, to escape the violence:

"[A]sked how they feel about their own children getting

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[222] For example, the well-publicized violence in the City of San Fernando during the past year has been occasioned by a bitter battle over Las Palmas Park. The park is claimed by two gangs: the San Fers, which is a large traditional gang, and the Shakin' Cat Midgets, which is a smaller gang of new immigrants.

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involved with the gangs, the replies come quickly, almost simultaneously. 'Hell, no! ... That [@#%!] is really crazy now. Everybody in jeopardy.' 'That's right. Everybody's at risk. That's why I'm thinkin' about movin' my family on out of here. There's just too much dangerous [@#%!] goin' on around here.'"[223]

"I don't see how it's ever going to end... Lots of people would like to get out, but your enemies know your face and they're gonna be there for life."[224]

It may be that such comments are themselves indicators of a coming decline in violence. U.S.C. Professors Malcolm Klein and Cheryl Maxson point out that other cycles of gang violence have peaked and turned downward without any observable cause. They believe that this may simply reflect a level of violence that the community cannot sustain -- a level that slows gang recruitment, frightens gang members, and shocks the community into action.[225] It should be pointed out, however, that professors Klein and Maxson have been anticipating such a downturn for quite some time now. Thus far, the numbers have not obliged.

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[223] Bing, Op. Cit., p. 228

[224] Quoted by Jesse Katz, "Gang Killings in L.A. County Top a Record 700"; L.A. Times, December 4, 1991; p. 24

[225] Interview with Drs. Klein and Maxson

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CHAPTER FIVE: GANG NUMBERS AND TRENDS IN LOS ANGELES

Los Angeles City and County have long been leaders in keeping and reporting statistics on gang-related crime. In addition, this region is fortunate to have the nation's most advanced computerized database on gang membership. The ready availability of solid data is not always an unmixed blessing, however. It can encourage quick, simplistic examinations of complicated problems. It can also exaggerate the extent of the gang problem in Los Angeles as compared to other regions.

DEFINING AND COUNTING GANG CRIME:

General Gang Definitions: Counting gangs and gang members requires a definition. In academic circles this has sparked considerable debate and resulted in a good deal of carefully-hedged jargon. The search for a workable definition may seem irrelevant in practical terms, but it is not. In rare situations, policies based on ill-considered definitions can lead to misunderstandings or even abuses. In one rather bizarre case, security guards at a local mall misused a definition intended to control gangs to harass a troop of girl scouts. The definition, obviously too loose, covered loud groups of teenagers hanging around in similar clothing.[226]

Probably the most widely quoted academic definition of a street gang was put forward by U.S.C. professor Malcolm Klein some 20 years ago:

> "...[A]ny denotable adolescent group of youngsters who (a) are generally perceived as a distinct aggregation by others in the neighborhood, (b) recognize themselves as a denotable group (almost invariably with a group name), and (c) have been involved in a sufficient number of delinquent incidents to call forth a consistent negative response from neighborhood residents and/or law enforcement agencies."[227]

This kind of definition is used primarily to distinguish street gangs from other types of youth groupings for purposes of study and analysis. As a practical matter, no one needs so elaborate a definition to recognize that the Rollin' 60's Crips are a street gang.

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[226] Jaxon Van Derbeken, "Troop is followed, actions restricted," Daily News, October 24, 1991; p. 1

[227] Malcolm W. Klein, Street Gangs and Street Workers; Englewood Cliffs, N.J.; Prentice-Hall 1971; p. 111

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In truth, law enforcement agencies tend to operate on an "I know 'em when I see 'em" basis, but they do have official, stripped down working definitions that are both less neutral and more practical than those used by academics. For example, L.A.P.D. defines an active gang as:

> "A group of juveniles and/or adults in a geographic area whose activities include the unlawful use of force, violence or threats of force and violence to further the group's purpose."[228]

Defining Gang Crime: General definitions, though important, are not really used much by law enforcement or anyone else outside a faculty lounge. Another type of definition is used every day, however, and has real consequences. The definition of what constitutes a gang crime determines which crimes are included in statistical measures of the gang problem. In turn, these measures not only help shape public perception, they also play a key role in directing police policy and the allocation of public resources.

While there are many possible definitions of gang crime, there are two basic approaches: Authorities can count gang-related crimes or they can count gang-motivated crimes.

-- Gang-related crimes are those which involve at least one gang member -- as the criminal, as the victim, or both. This is the broader definition of gang crime and the one which has been favored by law enforcement agencies in Los Angeles. Its virtues are that it is inclusive, it requires no difficult-to-obtain insight into motivation, its determinations can often be made by non-experts and, because of all these things, it is easier to handle logistically. On the other hand, it can be argued that this measure simply reflects the large number of young minority males who get involved in crimes. To put it another way, if gangs disappeared tomorrow, the same individuals might well be committing most of the same crimes. So focussing on gang-related crimes may overstate the real impact of gangs.

-- Gang-motivated crimes are those caused by gang activity. Typically, though not always, both the criminal and the victim are gang members. This is the narrower definition of gang crime and the one which has been favored by law enforcement agencies in Chicago and other cities. Its virtues are that it tunes out ambient levels of violence and focusses on those crimes -- such as drive-by shootings -- which are clearly due to the presence of gangs and, at least in theory, can be controlled by improved gang enforcement.

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[228] L.A.P.D., "A Gang Overview", 1991 -- unpublished draft

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On the other hand, because it requires more information and insight to evaluate each crime, and relies more heavily on expert determinations, this method excludes many crimes that, were the full truth known, might be gang-motivated. Thus it may understate the gang problem.

Differences in reporting statistics tend to overstate gang crime in Los Angeles and understate it in other large cities: For many years now, an academic and professional debate has raged over which method is superior. That debate is not terribly relevant for Los Angeles in terms of keeping track of what's happening in our streets. But it has important consequences for shaping national (and local) opinion about the relative severity of gangs and violent crime in various large cities. Because the national media operate out of New York City -- which takes a much lower-key attitude toward reporting gang crime than does Los Angeles -- and because other major gang centers (most notably Chicago) use the more restrictive, gang-motivated definition, while Los Angeles reports gang-related crime, comparisons are often grossly distorted.

There is no disputing that Los Angeles has the nation's worst gang problem. However, media coverage leaves the impression that the situation here is worse by orders of magnitude than in other large cities. For better or for worse, that is not true. In fact:

> "...depending on how one reports and interprets these homicides, the basic youth violence situation in Los Angeles may be little different than it is in Chicago or New York."[229]

Considerable research has been done on the impact of different law enforcement practices on gang crime statistics. In general it has been found that the choice of how to define gang crime is the only local police procedure that makes much difference in the statistics.[230] There has also been very specific research, based on L.A.S.D. and L.A.P.D. data, to determine the consequences of using one type of definition instead of the other. The researchers found that the choice made little difference in the types of crimes reported. But it made a large difference in the numbers reported. The motive-based definition of gang-related homicides yielded about 60% as many

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[229] Spergel et. al., Op. Cit., p. 37

[230] Cheryl L. Maxson and Malcolm W. Klein, "Street Gang Violence: Twice as Great, or Half as Great?"; in C. Ronald Huff, Gangs in America; Sage Publications, 1991; p. 90

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gang homicides as the member-based definition.[231]

From this we can draw two tentative conclusions:

-- The decision by L.A.S.D. and L.A.P.D. to report gang-related crimes has been a good one.[232] While it undoubtedly picks up crimes that have little to do with gangs, it does not distort the overall picture by picking up inappropriate categories of crime. Insofar as we can tell, it does not systematically overstate gang violence. It has also produced an outstanding database.

-- To make a very rough comparison between gang crime statistics from Los Angeles County and those from cities like Chicago, we must either discount the L.A. numbers or augment the numbers for the other cities. Thus, in 1991, gang homicides accounted for approximately 14% of all homicides in Chicago, compared to just over 36% in Los Angeles.[233] This research indicates that, had we used Chicago's narrower, gang-motivated definition, the comparable rate for L.A. might have been around 20-21%.[234] Conversely (and less reliably) we can estimate that, had Chicago used L.A.'s more inclusive, gang-related definition, gangs might have accounted for roughly 23% of that city's homicides.

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[231] Maxson, Klein and Cunningham, "Defining Gang Crime: Revisited," unpublished paper presented at the Western Society of Criminology meetings, February 1992. This finding, which was based on data from 1988-9, differed significantly from the results of a similar analysis on data collected in Los Angeles a decade earlier. At that time, the gang-motivated definition yielded only 50% as many crimes as the gang-related definition.

[232] The L.A.P.D., cognizant of the debate over which type of measurement is most effective, has kept two sets of statistics in recent years -- gang-related crime and gang-motivated crime. The L.A.S.O. also keeps a gang-on-gang homicide series, which approximates a gang-motivated measurement. Not surprisingly, the larger numbers generated by the gang-related statistics are more commonly picked up by the news media.

[233] Percentages reported by Maxson, Klein and Cunningham, Op. Cit.

[234] It should be pointed out, however, that the L.A.P.D.'s own count shows gang-motivated crime running at 65-70% of gang-related crime in recent years -- not 60% as predicted here. This may be due to definitional differences between Chicago and L.A., changing conditions, or both.

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Building GREAT has exaggerated the growth rate for gang crime: Before the GREAT database (see next chapter), it was very difficult to get any meaningful estimate of the number of gang members in the county. Gang files were maintained manually in widely dispersed locations. No one had access to all of them. No one kept -- or could easily compile -- a reliable total. Estimates of 10-20,000 gang members were common as recently as five or six years ago.

When work began on GREAT there was finally a central place to go for numbers. Not only did the Sheriff's existing files get entered (and, to some extent, the files of other agencies), there was a new emphasis on identifying and entering gang members throughout the county. This had three important consequences for public perception:

-- When all the data were pulled together, it turned out that there were a great many more gang members than previously suspected. Of course, this superior knowledge did nothing to change the underlying situation. The numbers were new; but the gang members, by and large, were not. GREAT did not conjure into being another 80,000 gang members, it merely counted them. Nevertheless, the impression left with the press, the public and even with many in law enforcement was that there had been a tremendous surge in gang membership.

-- The perception of rapid growth was heightened by the gradual process of building the computer file. Taking the long view, the database wasn't built gradually at all. Files compiled over a decade or more were combined fairly quickly. With time, budget and jurisdictional constraints being what they are, however, not all available data could be collected and entered at once. Meanwhile, it took some time for the new emphasis on identifying gang members in the field to take hold. Once it did, the change in tactics caused a period of artificially explosive data growth.

All told, it has taken GREAT about five years to move from an initial 15,000 records or so to around 100,000.[235] That's a 5-600% increase, which works out to an annual growth rate of roughly 45%. L.A.P.D.'s Gang Tracking System (GTS) has grown even faster -- over 50% per year, from

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[235] More than 30,000 records were available on an older computer system (IGIS) and various L.A.S.O. paper files. These were winnowed down to 14,000 or so after purging duplicates and outdated records.

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12,000 records to 65,000 in only four years.[236] Needless to say, real gang membership has not been growing at anything like that pace; but we would never know it from reading either press accounts or official reports. Both have concentrated on growth in the data base, despite the lack of any direct connection to growth in the real world.

Because a good deal of data remains to be collected and entered in GREAT and GTS, we may have another year or two of "explosive" growth -- depending on the impact of data-purging (see below). After that, with regular purges and a mature data base growing at a much slower rate, we may begin to see stories about a "remarkable" slow-down in gang membership.

-- The new and rapidly-growing database also had a third consequence: It greatly increased the chances that crimes would be identified as gang-related. In the pre-computer days, with paper records widely dispersed, identifying a suspect (or a victim) as a gang member could be a hit-or-miss proposition. Nowadays, with over a hundred thousand gang members on file, the chances of missing a gang connection have plummeted -- and they continue to fall as the database expands and access to it broadens. As a direct result, a certain amount of crime that once was subsumed under other categories is now classified as gang-related -- leaving the impression that gang-related crime is rising faster than it really is.

This effect should be most pronounced where the databases are most complete and most widely used -- including that part of the county under Sheriff's jurisdiction. Though hardly conclusive, the crime patterns for these areas are very interesting. For example, the number of gang-related homicides countywide has increased at a fairly constant rate since 1984. Within the Sheriff's jurisdiction, however, gang-related homicides did not begin to rise until 1987 -- the year GREAT began. They have grown at a tremendous rate ever since -- a rate roughly comparable to the expansion of GREAT.

There are certainly alternative explanations for this pattern, including differences in ethnic composition between areas within the Sheriff's jurisdiction and the county as a whole. It is interesting, however, to look at what happens when gang-related homicides (countywide) are expressed as a

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[236] The initial central file of roughly 12,000 was a paper-based, manual file that duplicated local CRASH files. Currently, there are 55,000 records in GTS, with another 10,000 records in the pipeline -- still on paper, not yet entered into the system.

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percentage of total homicides. There are two very large jumps in the annual sequence: From 14.7% of all homicides in 1984 to 18.5% in 1985, which may reflect the coming of "crack;" and from 23.6% in 1987 to 29.6% in 1988, which may reflect the first full year of operation for GREAT and the beginning of GTS.[237]

There have been real and dramatic increases in gang crime: Nothing in the preceding discussion should be interpreted to suggest that there has been no real rise in gang membership or gang violence. Every expert interviewed for this paper agrees, and every available statistic confirms, that gang activity is on the rise. Indeed, GREAT was largely the result of law enforcement's desire to get a better handle on the growing gang problem. It is well to remember, however, that the very act of gathering a database and improving measurement has had the effect of exaggerating the trend. Unfortunately, gang violence is going up. Fortunately, it is not going up quite so rapidly as it seems.

TRENDS IN GANG VIOLENCE:

The current era of gang violence is the worst in county history: As mentioned earlier, Los Angeles has experienced several long cycles of gang violence since World War II. Although it is difficult to compare eras, the current level appears to be the worst in history. There are definitely more gang-homicides per capita now than there were during the cycle which peaked in 1980, even though some of today's killings probably would not have been considered gang-related in the pre-GREAT era.[238] Many who lived through that last big surge in gang violence believe the current situation is worse, if only because of the superior weaponry available on the street.

Gang homicides in L.A. County hit a record high of 771 in 1991: Since 1980, when the number of gang-related homicides hit its previous peak of 441, gang violence has killed more than 4,700 people in Los Angeles County. The number of homicides each year has varied tremendously during that time -- from a low of 205 killed in 1982 to the new record of 771 in 1991 (see Table VI in next chapter). Other violent gang crimes -- felony assault, armed robbery, shooting into occupied dwellings, etc. -- are also setting new records. While these terrible numbers owe something to superior data collection and reporting, it is quite clear that

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[237] Los Angeles County Interagency Gang Task Force, "Report on the State of Los Angeles Street Gangs," November, 1991

[238] On an annual basis, there were roughly 8.5 gang-related homicides per 100,000 residents of L.A. County in 1991, compared to roughly five per 100,000 in 1980.

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we are in the midst of an unprecedented surge in violence.

Gangs have been responsible for virtually all growth in homicides in L.A. County since 1984: In 1984 there were 1,442 murders in L.A. County; of these, 212 were gang-related and 1,230 were not. In 1990 there were 1,966 murders in the county; 690 were gang related, 1,276 were not. Adjusted for population growth, non-gang murders actually declined over that six year period; but gang-related murders exploded by more than 200%. Although 1984 was an exceptionally low year for gang homicides, the statistical trend has been consistent: gang-related murders have grown faster than non-gang murders in every year since 1984 -- usually much faster. As a result, gang-related murders have accounted for a larger and larger proportion of all homicides in L.A. County: 14.7% in 1984; 18.5% in 1985; 21.2% in 1986; 23.6% in 1987; 29.6% in 1988; 31.3% in 1989; and 35.1% in 1990.[238] The trend appears to have continued with a vengeance in 1991. The total number of homicides in L.A. County last year is not yet available, but the numbers for L.A.P.D. and L.A.S.D. show another whopping increase: Gang related murders accounted for 36.1% of all homicides in the City of Los Angeles, 49.2% of all homicides in the Sheriff's jurisdiction, and 37.6% of all homicides in L.A. County.[239]

1984 was a watershed year for gang violence: Looking backward from the current peak, several turning points appear, but the most dramatic was in 1984, the last year of a relatively low and stable gang homicide rate. Some observers credit the 1984 Olympic Games for the number of gang killings low that year despite the emergency of "crack" (see below). The games came to town just as a series of anti-gang measures adopted during the 1979-80 crisis were taking full effect. Not only was the whole community caught up in the athletic spectacle, there was a tremendous police presence in South Central Los Angeles before and during the games -- and the deterrent effect appears to have lingered for a while afterward.

Another notable feature of 1984 was the emergence of "crack" cocaine as a major law enforcement problem. It had first appeared two years earlier, but during 1984 it began to spread rapidly. The gang homicide rate has been rising ever since, which may or may not be cause and effect. However, the huge jumps in 1989 and 1990 (and last year's somewhat lesser spurt) cannot be attributed to "crack," because violence was down among the ethnic gangs most intimately involved with "crack."

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[238] Interagency Gang Task Force -- Op. Cit.

[239] According to their year-end reports, L.A.S.D. responded to 421 murders in 1991, of which 207 were gang-related; L.A.P.D. reported 1039 murders, of which 375 were gang-related.

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Black gang violence is down in recent years: If the last decade in Los Angeles has proven anything, it is the sheer foolishness of predicting any kind of peak or turning point in gang violence. Nevertheless, we may currently be witnessing just such a phenomenon in the Black community. Both L.A.P.D. and L.A.S.D. have recently reported sharp decreases in Black gang violence. There was a 29% decrease in Black-on-Black gang killings in the Sheriff's jurisdiction during 1990.[241] In Los Angeles proper, the share of killings attributed to Black gangs, which was 51% as recently as 1988, fell to 32% in 1990.[242] Assuming that this is a trend rather than a statistical blip, there may be several reasons for it:

1) The Black population in L.A. County is no longer growing rapidly. The 1990 Census showed a slowdown in Black population growth county-wide -- a sharp contrast with previous decades. The trend is especially pronounced in the county's urban core, where population is actually dropping -- witness the L.A. Unified School District's report of a 15% drop in Black enrollment over the last decade. Some of this change may be due to L.A.'s fading attractiveness to Black immigrants. As noted elsewhere, there has also been a well-documented out-migration of Black families. Many believe these population movements are largely driven by the well-publicized ferocity of gang and drug problems in L.A.'s traditionally Black neighborhoods. One result has been a growing Black population in outlying counties (Riverside, San Bernardino), outlying communities within L.A. County (Pomona), and outlying regions of L.A. City (the San Fernando Valley). It is possible that Black gang violence is not really dropping but is simply being dispersed.

2) The rate of participation in gangs and gang-related violence may simply have reached unsustainable levels. As discussed below, there is reason to believe that as many as half of all young Black males may belong to gangs in the most crime-ridden parts of Los Angeles County. There is also little Black-dominated turf that remains unclaimed by existing gangs, and no substantial stream of new Black immigrants to dispute existing arrangements. At some point these conditions must give rise to a natural limit on further expansion -- perhaps because the remaining children are insulated from gangs through powerful ties to family, church and school; perhaps because a building community reaction begins to moderate gang behavior and affect recruitment; or

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[241] L.A.S.O., Safe Streets Bureau, Gang Activity Summary, 1990

[242] L.A.P.D. Intradepartmental Correspondence, Detective Support Division, Summary of Gang Crime During 1990

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simply because a gruesome equilibrium is reached based on rates of flight, death and incarceration within a stable or shrinking population.

3) The combined efforts of government, school, law enforcement and community may be having an impact. Because of the extraordinary surge in Black gang violence over the last five or six years, there has been a relative shift of anti-gang resources (far from adequate, but real) toward the Black community. As will be discussed in later chapters, some of these efforts have made a demonstrable difference. While that is good news, it also raises the possibility that these gains are short-term and illusory -- as has proven to be the case in other communities.

Latino gang violence is up: The downward trend in Black violence is especially pronounced when compared with an even sharper upward trend in Latino gang violence. The Sheriff reported a jump of 96% in Latino gang homicides for 1990.[243] L.A.P.D. reports that the biggest increases in gang crimes of all kinds occurred in the city's most heavily Latino neighborhoods.[244] The 20% drop in the Black share of total gang killings in Los Angeles over the last two years is mirrored by an equivalent rise in the Hispanic share. And the number of new Latino gang members added to GTS files in 1989 was two-and-a-half times greater than the number of new Black gang members. Assuming once again that this is a real trend and not a statistical oddity, it may have several causes -- some the inverse of forces driving Black gang violence down:

1) Latino population is rising faster than any other group save Asians -- and it is growing from a substantial base. This is a young population, with many children in or approaching the years of peak gang activity -- the L.A.U.S.D. reported a 23% gain in Latino enrollment over the same decade that saw a similar drop in Black students. Growth (and displacement of Blacks) is especially strong in the county's urban core of gang-infested neighborhoods. But there is also a clear pattern of outward movement from traditional population centers (like East L.A.) toward middle and working class neighborhoods throughout the county (especially the San Gabriel and San Fernando Valleys). Not surprisingly, Latino gangs have been spreading in similar fashion. While population growth cannot account for a 96% jump in gang violence in a single year, it goes a long way toward explaining growth over the last decade.

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[243] Op. Cit., Gang Activity Summary, 1990

[244] Op. Cit., Summary of Gang Crime During 1990

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2) Much of the Latino growth continues to be driven by immigration which has especially serious consequences for the formation of new gangs and for intergang violence. As new and ethnically distinct Latino gangs emerge to stake claims on turf already held by traditional Mexican-American gangs, increased violence is an inescapable reality. New Latino gangs are also less constrained by the traditional cholo culture and more likely to emulate Black and Asian gangs in their focus on drugs, extortion and other types of profitable, high-profile crime. A classic example is the growing threat posed by the Mara Salva Trucha gang, which operates in the Hollywood/Wilshire area and elsewhere. This large gang is Salvadoran in origin. Its emergence has resulted in fierce rounds of assaults and "paybacks" with older neighborhood gangs. The area has also witnessed sharp growth in gang-related drug-dealing and robbery.[245]

3) The shift of anti-gang resources away from Latino neighborhoods may have backfired. Through concerted governmental, law enforcement and community efforts, a relative calm was achieved in East Los Angeles and other centers of traditional Latino gang activity prior to the 1984 Olympics. Just at that time, Black gang violence began to skyrocket. The result, in an era of limited resources, was a move to partially redeploy existing anti-gang activities. As mentioned above, there is some reason to believe that this helped abate Black gang violence. Unfortunately, the diminished resources left behind were not adequate to prevent a new surge of gang violence in the Latino neighborhoods.

   It is possible, of course, that there was no cause and effect. Even at full strength, existing programs might have been unsuited to cope with a surge in gang violence driven by the arrival of new immigrants in old communities and the corresponding outward movement of Mexican-Americans. Still, the sequence of events is suggestive.

Asian gang violence is believed to be growing rapidly, but there is no statistical evidence to support that belief: If a rapid, immigrant-driven rise in population presages a leap in gang violence, then Los Angeles may expect serious problems with Asian gangs over the next decade. Both the L.A.S.D. and the L.A.P.D. are sincerely and outspokenly apprehensive about the future in this area. Interestingly enough, however, there is little statistical evidence as yet to support their fears. While the number of new Asian gangs (and gang members) is rising rapidly, the number of homicides and other crimes attributed to Asian

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[245] Ibid.

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gangs is not.[246] There are several reasons for this mismatch of data and concern:

1) Law enforcement data is far less reliable for measuring Asian gang crime. In part this is because so many crimes against Asians are never reported to the police. Barriers of language and culture provide a cloak of secrecy for Asian gangs that limit their crimes to their own communities. This pattern not only means that Asian-on-Asian crime is under reported, it also prevents law enforcement from building as reliable a data base on Asian gang members. The L.A.P.D. has done the better job in this area, but neither of the two big departments has done well, and both acknowledge it.

2) The absence of reliable data is compounded by woefully inadequate resources for the investigation of crime in the Asian community. Once again, L.A.P.D. has done the superior job; but both departments acknowledge that they simply do not have enough officers with the necessary language skills and specialized training to be effective in this area; and both are trying hard to remedy the situation. Their concerns are well-founded given the county's burgeoning Asian population.

3) Local law enforcement authorities tend to estimate the potential problem based on those few things that they know (or believe) about Asian gangs: first, their numbers are growing; second, they have shown a propensity for mobility and for violence; third, in some very well-publicized instances they have quickly adopted the full (and deadly) style of L.A. street gangs; finally, and most significantly, of all ethnic street gangs these have the clearest links to adult organized crime.

   The organized crime connection is of special concern. It conforms to a pattern that is widely discussed in state and national law enforcement circles, often in connection with fears that west coast U.S. cities are key destinations for Triads and other organized crime groups fleeing Hong Kong in advance of Chinese sovereignty (due in 1997).

4) Whether the future growth of Asian gangs will justify law enforcement fears is unknown. What is beyond dispute is that **L.A. County needs to make a major investment in its capacity to prevent and investigate crime in Asian communities.**

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[246] In 1990, the L.A.P.D. estimated that L.A. County was home to approximately 50-60 Filipino gangs, 40-50 Chinese-Vietnamese gangs, 16-20 Korean gangs, and 6-10 Southeast Asian gangs.

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Inter-ethnic gangs and violence may also be rising: The gang information "grapevine" in L.A. County is gently buzzing about the growth in inter-ethnic gang activity. The crime statistics do not yet show any serious problem -- for instance, total inter-ethnic gang homicides in the Sheriff's jurisdiction actually went down in 1990 (both in raw numbers, from 22 to 20, and in percentage, from 19% to 12%).[247] There is, nevertheless, a consistency to the anecdotal reports which may be a kind of leading indicator.

The Cambodian/Hispanic gang clashes in Long Beach are a frequently mentioned example. There is also a feeling that newer immigrant gangs (which often fight with older turf gangs) are showing some interracial tendencies. Asian gangs have long had a multi-ethnic cast, though not a multi-racial one. Hispanic gangs include a fair number of non-Hispanic whites. Now others may be exploring new ground, with Filipino gangs leading the way. For example, one gang (LAOB) has recruited Cambodian, Laotian and Thai members as well as Filipinos. Another[248] ("Little Pinoy Satanas") has recruited ten Black members.

There is as yet no sign that truly multi-ethnic turf gangs and conflicts are emerging -- like those misleadingly portrayed in the movie Colors.[249] But the possibility is much discussed among observers of the gang scene. To the degree that money begins to override traditional gang values, the possibilities for interracial gangs will increase.

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[247] L.A.S.O. Gang Activity Summary, 1990

[248] L.A.P.D. Summary of Gang Crime During 1990

[249] Gang watchers and gang members alike are universal in their condemnation and ridicule of Colors. Unlike Boyz 'n the Hood, Colors is perceived to have gotten the gang scene completely wrong. Some gang members, and other young people not in gangs, even believe that the movie caused needless violence. Leon Bing, in her book Do or Die (p. 205-6) quotes a Crip: "Let me tell you, girl, that was some dangerous [@#%!] in that movie...Because that movie just made up a lotta [@#%!]. Talkin' about gangbangin', tryin' to show people how gangbangin' is. And we was like, 'That's [@#%!] We gonna show how gangbangin' *really* is.' Like 'Kill, buddy! Get yo' artillery weapons up! Show yo' armed forces!' Lotta people got killed behind that movie. 'Cause it tried to show drive-bys, but then it would show like [Blacks] killin' [Hispanics] and [@#%!], and that ain't like it is. And the Bloods, too -- they felt like they got dis'ed 'cause all Bloods did was get killed in that movie, so they tried to have it a little bit, too, show some force -- but the Crips just overpowered 'em."

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The killing of innocent bystanders is already an extraordinarily serious problem, and it is getting worse: One of the trickiest questions in gang investigation is: Who is an innocent bystander?

Traditionally, "payback" shootings were targeted specifically on the gang member or members who provoked the response. Nowadays, the line on retaliation is much fuzzier. The identities of those who attacked a "homeboy," for instance, may be unknown. Or the suspects may be out of reach. Or grief and anger may simply overwhelm the niceties of proportional response. In such cases, revenge is taken on the first available members of the assailants' gang. Are such victims innocent bystanders? Many would say yes, since they did nothing to provoke this particular assault. Some would say no, since active gang members willingly participate in a violent group process that not only condones but requires this kind of warped justice.

What of the gang member who inadvertently walks into the wrong place wearing the wrong clothes? What of the non-gang member who does the same thing, trying to look cool? What of the friend or relative who does not belong to a gang but enjoys hanging around gang members and is shot in a drive-by assault on a gang party? What of a similar person who knows of, but does not approve or encourage, a young man's gang affiliation and is killed while visiting his friend's home? Different people might draw the line of innocence at different places.

Most of us envision an innocent bystander as someone like ourselves -- utterly innocent of any knowledge or connection with gangs -- who is killed purposefully yet randomly, for no rational reason; or, alternatively, a similar person killed accidentally as the by-product of gang violence. Both kinds of killings occur in Los Angeles County; the first is rare; the second, unfortunately is not.

Pure, random violence is the rarest and most terrifying of urban nightmares. Yet when it occurs, it is not usually gang-related in any meaningful sense. Most violence is related to some other criminal purpose -- drugs, robbery, etc. Gang members are disproportionately prone to such crimes because gangs attract, and embolden, violent youths. But these violent individuals would probably commit similar crimes even if they did not belong to gangs (as many non-gang members do).

Drive-by gang shootings usually have a specific (though frequently mistaken) target: There is nothing random about most gang killings; senseless, yes, from a non-gang perspective, but random, no. Innocent bystanders are often killed, but their deaths are usually accidental -- indeed, the term "mushrooms" is used to describe people who suddenly pop up in the wrong place and are mowed down. Such distinctions are meaningless to the

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victims and their families, of course. And fear of being killed in this way is perhaps the most profoundly demoralizing aspect of life in much of Los Angeles County.

Because this kind of violence is both sensational and abhorrent, it is tempting to overstate it. Even though gang marksmanship is notoriously bad, and increasingly indiscriminate, gang shooters still hit their targets more often than they hit bystanders. What is deeply troubling is the lack of genuine concern about what happens when they miss. Old-timers in the gang sub-culture say that today's callousness is a new development. The closest analogy is probably a soldier's mentality in war time -- gang shooters may express regret but, in their view, these things can't be helped:

> "I don't really like to do drive-bys, because innocent people might get hit, you know? My homeboy shot a baby in the head. He felt bad about it, you know, but he was like, 'That's how it happens sometimes.' He felt bad but wasn't nothin' he could do about it."[250]

No more than a quarter of all victims of gang homicides, and possibly as few as 10%, appear to be innocent bystanders: A figure of 50% is often quoted for the proportion of innocent bystanders among gang-related murders. This number derives from an informal estimate compiled by the District Attorney's Hardcore Division several years ago. The estimate was based on victims of <u>all</u> violent crimes committed by gang members, including armed robbery. The proportion of innocent homicide victims is probably much lower. Denial and/or true ignorance are widespread among family and friends of young people killed in gang shootings. Reporters and police are routinely assured that the victim had nothing to do with gangs. Sadly, in many cases that turns out to be untrue.

Through October of 1991, victims in three-quarters of the year's gang-related homicides in the Sheriff's jurisdiction (131 out of 174) either had gang connections or were not classified as innocent bystanders for other reasons (participation in a drug deal gone bad, for instance). The remaining one-quarter of victims (43) probably also included some cases where gang connections or criminal activities existed but investigators could not verify them. According to Sheriff's investigators, this proportion has been fairly constant for some time.[251]

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[250] Bing, Op.Cit., p. 27

[251] Interview with Sgt. Wes McBride, L.A.S.O., Safe Streets Bureau

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In their analysis of gang homicides in South Central Los Angeles in 1988-9, U.S.C. researchers found an even lower incidence of innocent bystanders. Out of 201 gang-related homicides, only nine (4.5%) showed absolutely no connection between suspect and victim -- as when a passerby was hit by a stray bullet. Another 11 (5.5%) were cases of mistaken identity or third party associations -- as when a non-gang-member friend visiting an intended victim is hit instead of, or in addition to, the target.[252]

Today, more than ever, gang violence is directly related to inter-gang conflict. The rules for such conflicts have not changed much, but the weaponry has. Gang members continue to aim for one another rather than outsiders, but the number of "mushrooms" is growing as the number of gang shootings escalates.

EXPLORING AND ANALYZING THE COUNTY'S GANG DATABASES:

L.A.S.O. and L.A.P.D. should assign crime analysts to assess the data in their gang databases for trends and useful information: The combined GREAT and GTS databases are an incredible resource for building and refining effective gang policy. Unfortunately, however that resource is largely untapped. Extraordinary effort goes into building and maintaining the databases for daily use. There is also a steady flow of basic statistics. Yet there is no regular analysis of the data for trends or patterns that might improve enforcement. Academics occasionally delve into the systems for research purposes, and departmental personnel do some exploring to satisfy their own curiosity, as time permits. But no full- or part-time crime analysts are assigned to mine these veins of information.

There are roughly a thousand gangs active in Los Angeles County: As of October, 1991 GREAT listed 936[253] gangs and GTS listed 513. Just how much these two numbers overlap cannot be determined without close examination; but because a significant chunk of the GTS database is included in GREAT, there is good reason to believe that virtually all the gangs in GTS will also

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[252] Dr. Cheryl Maxson, unpublished data

[253] This number does not include some 58 Tagger gangs. Taggers get their kicks spraypainting stylized graffiti on every conceivable surface. The graffiti is quite different from gang graffiti and claims no turf. Their vandalism, though significant and expensive, is more akin to old-fashioned juvenile delinquency than to the more violent, crime-prone style of street gangs.

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show up in GREAT.[254] A reasonable guess is that roughly 1,000 gangs are operating in Los Angeles County at the present time.

Of these, GREAT lists 298 Black gangs (213 Crips, 85 Bloods) while GTS lists 207 (150 Crips, 57 Bloods). GREAT lists 467 Hispanic turf gangs while GTS lists 235. GREAT lists 63 Asian gangs (plus 16 Samoan) while GTS lists only 43 (no separate listing for Samoans). GREAT lists 61 Stoner gangs while GTS lists 25. GREAT lists 18 Anglo gangs (5 Punk, 4 Skinhead, 9 White) while GTS simply lists 3 miscellaneous white gangs. In each category, the total number is probably just a little higher than the GREAT number.[255]

Most but not all of these gangs are engaged in heavy-duty criminal activity to some degree: The District Attorney's Hardcore Gang Prosecution Unit maintains its own database to track prosecutions throughout the county. That system currently lists 800 gangs whose members have been prosecuted for at least one felony or serious misdemeanor.

The largest gangs in L.A. County have as many as several thousand members; the smallest fewer than two dozen. On the streets, any gang with several hundred members is considered large (or "deep"). According to GREAT, however, most gangs don't measure up to that standard: The average number of members on file for Blood gangs is around 120, for Hispanic turf gangs it's around 125, and for Crips it's around 130.[256] Other kinds of gangs are much smaller. Asian gangs average around 50 members each. Stoner gangs, Punk gangs, Skinheads and other Anglo gangs are smaller still, averaging 20-25 members. For reasons to be discussed below, however, all these numbers are misleadingly low.

There are 125-130,000 gang members on file in the combined gang databases for Los Angeles County: When the news media need to report the number of gang members in the region, most use GREAT's current figures. In part this is because the GTS numbers are

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[254] With one-fifth of the GTS database entered into GREAT, the chance of finding an individual gang member from GTS in GREAT is not good. But the chance of finding at least one of a GTS gang's many members (typically around a hundred) is excellent.

[255] As for women, the keepers of GREAT have identified only two all-female gangs in L.A. County.

[256] For some reason, GTS shows consistently lower numbers, especially for Black gangs (Blood gangs average only 85 members in that system, while Crips average just 95). This may be because the GTS system is only about 80% complete. Roughly one-fifth of the L.A.P.D.'s paper FI records have not yet been entered into the system.

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much lower. Mainly, though, it is because most people assume that GREAT includes GTS. Though logical, that assumption is wrong.

Eventually, GREAT will include nearly all of GTS. At present, however, GREAT includes only that portion which has been downloaded onto tape and manually entered into the regional system. As of December, 1991, GTS had records for approximately 55,000 individuals, with roughly 10,000 additional records yet to be entered into the system from local CRASH files. The total GTS database, therefore, comprised approximately 65,000 records. Of these, just 12,000 had been entered into the GREAT system (though another 30,000 had been received on tape and were awaiting data entry).

Table I

Gang Membership Totals by Ethnicity and Gender
-- GREAT database; 10/28/91 --

ETHNICITY	MALE	%	FEMALE	%	TOTAL
Asian/Pac.	3,915	0.94	246	0.06	4,161
Black	35,624	0.96	1,469	0.04	37,093
Hispanic	53,342	0.92	4688	0.08	58,030
Stoner	1282	0.96	48	0.04	1,330
Misc/White	329	0.92	29	0.08	358
TOTAL	94,492	0.94	6,480	0.06	100,972

At that time, GREAT comprised approximately 101,000 records (see Table I), including roughly 5,000 duplicate names. As explained in the next chapter, the duplicates were mostly the result of entering the first 12,000 names from GTS.[257] Given that GREAT now has around 96,000 unduplicated names; and given that 50-55,000 names remain to be entered or transferred from GTS; and assuming that the rate of duplicates will remain relatively constant; assuming also a modest rate of real growth in both systems; the combined databases probably hold records on 125-130,000 gang members.

[257] The rate of duplicates (42%) seems reasonable, since most gangs are confined to a single neighborhood. Gangs close to the city's boundaries probably show up routinely in the GREAT files. Those further away from county jurisdictions would show up only if they happen to be stopped (or arrested) a long way from home.

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Using the same logic, one can make very rough approximations of the ethnic breakdown of gang members in the combined databases: 5,500 Asian and Pacific Islander gang members; 13,500 Bloods; 35,000 Crips; 76,000 members of predominantly Hispanic turf gangs; 1,700-1,800 Stoners; 400-500 miscellaneous white gang members (NOTE: the categories total more than 130,000 because of the 5,000 duplicates currently on file).

GREAT maintains records on a great many inactive gang members: The numbers listed above deal only with those individuals who have been entered into GREAT and/or GTS and remain there. To get a more complete picture, these numbers must be adjusted to account for gang members that have never been entered into either system -- and for those in the systems who do not belong there.

Deferring, for a moment, the question of unrecorded gang members, it is quite clear that both GREAT and GTS contain many individuals who do not belong in the databases. When the systems were set up, they were intended only to track <u>active</u> gang members. Any definition of active is bound to be arbitrary, but both agencies decided that individuals showing no contact with the police for five years should be deleted from the database. Purging is manual rather than automatic, however. And, since the oldest data in the GREAT system was entered just over four years ago, no general purge has yet been conducted.[258]

This might seem a minor matter since, by definition, data that is only four years old cannot be ready for a five-year purge. Still, given the normal pattern of juvenile and gang contacts with the police, many experts would say that a gang member who disappears from view for three years is no longer active (or has moved, died or gone to prison).[259]

Moreover, the data entered in GREAT's first few years was an accumulation of earlier Sheriff's data that had previously been maintained on IGIS and/or manually in the various gang units. So it is perfectly possible for gang member "X," whose last real contact with the police was in 1983, to have been entered into the system in 1987. If so, his record may well remain on file until the first purge occurs sometime in 1992 (it would only be removed if someone using the file happened to know that "X" was no longer around and so pulled his record). Assuming that "X"

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[258] The same is true for GTS. The oldest data in that system is a little over three years old. None of it has yet been subjected to a 5-year purge.

[259] Among others, GIS Detective Sgt. Bob Jackson of L.A.P.D. holds this view. The issue of how long to retain records was the subject of lively debate within and between L.A.S.O. and L.A.P.D. Five years turned out to be an acceptable compromise.

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was 17 in 1983, he will probably be listed as a 26-year old active gang member by the time he is purged -- even though law enforcement has had no contact with him for nearly ten years.[260]

There is no reliable estimate of how many cases like "X" are cluttering the GREAT database, though the number is surely small compared to the total number of records.[261] Nor is there any realistic way of knowing how many active gang members have never found their way into the file.[262] In the interests of tidiness, and in the absence of contrary data, we can assume that the two errors are of roughly equal magnitude and cancel each other out. This would leave the combined total of the current databases as the best available approximation. However, an examination of the age distribution of the data raises other questions.

The gang data base is subject to artificial aging: One of the most surprising features of the GREAT database is that the gang members it lists are so old. While we know that gang members are more likely than before to stay active well into their 20's, we also know that the years of peak gang activity are the mid-to-late teens and early 20's.[263] Yet the GREAT numbers do not reflect this. Where one would expect to see a bulge in the age data at 15-20, the bulge actually comes at 21-26, and the average age is a rather elderly 24. Statistically speaking, there are two major reasons for this: Artificial aging of the database, and under reporting of young gang members.

The continuing presence of hundreds, perhaps thousands of older, inactive gang members -- men like "X" referred to above -- in the data base is doubly misleading: Not only do they inflate the number of active gang members on file, they also raise the average age of gang members in the system. Though we cannot know how many inactive names will disappear in the first purge, we do

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[260] Such a case is much less likely in GTS. Data entry in that system began one year later than GREAT, and was done exclusively from paper records. However, GTS has conducted a manual purge in each year of its computerized operation -- most recently in November of 1991.

[261] Overall, Sgt. Wes McBride ventures a hope (as opposed to an estimate) that as much as 20% of the file will be purged.

[262] We can make some estimates where the exclusion appears to be systematic rather than random. Age bias is a good example of systematic undercounting and will be discussed below.

[263] In addition to academics and gang workers, the County Probation Department confirms that most gang members are younger than 20. Two-thirds of the high-risk gang members referred to Probation's specialized gang program are juveniles (under 18).

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know they will come disproportionately from the older end of the age spectrum.

Some artificial aging is unavoidable in a system with a five-year manual purge. But the effect is especially pronounced right now as we approach the first purge. That helps explain why the average age of those currently on file is skewed too high. Instead of 24, the true median age for active gang members on file is probably no higher than 23 -- perhaps as low as 22.[264]

Younger gang members are under represented in the database: While 22 or 23 is a move in the expected direction, it still seems a high median age for a teen-centered sub-culture.[265] Artificial aging offers only a partial explanation. It also appears that young gang members are entered into the database less reliably than older ones. There are three reasons for this:

-- Police officers have less incentive to stop and arrest younger gang members. The juvenile justice system treats youngsters arrested on routine charges -- truancy, vandalism, theft, misdemeanor assault, etc. -- with notable (police officers would say notorious) leniency. Since the effect of such arrests is minimal, officers have less reason to pursue them aggressively. Yet the FI's filled out in the course of routine arrests are the building blocks of GREAT.

-- Older gang members tend to commit more serious crimes. As discussed earlier, older gang members are more likely to be shooters (average age around 20) and to be shot (average age around 21[266]). They are more likely to be dealing cocaine (average age around 22). And, in general, they are

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[264] A scrap of confirming evidence can be found in the age distribution within GREAT for Asian gangs. Because these gangs are newer, with most of the data on them gathered in recent years, we would expect the median age of their recorded members to be lower than for Black and Hispanic gangs. In truth, it is lower -- 21 for Asians as opposed to 24 for Blacks and Hispanics. Obviously, other factors could account for this, including the lack of time to build up a large cohort of older members.

[265] It would not be surprising, however, for the average age to be at the higher end, or even just outside, of the age range of peak gang activity -- say 20 or 21. The reason is that there is a much longer statistical "tail" on the high side of the age distribution. In other words, there are many more years (and, presumably, many more active gang members) between 21 and 65 than there are between 8 and 14.

[266] According to Sgt. Wes McBride, L.A.S.O., this number has been static for several years now.

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more likely to have chosen crime as a career. Accordingly, their chances of arrest and subsequent entry into the GREAT file are higher than for teens engaged, on average, in less serious crimes.

-- The longer a young man stays in a gang, the greater the opportunity for police to identify him as a gang member. Consider a 16-year old gang member. He has probably been active for no more than two or three years. But if he stays in the gang until he is 26, he will have been active for 12 or 13 years. Assuming a constant level of criminal activity, he is theoretically five or six times more likely to have been detected at 26 than he was at 16. Practice is quite different from theory, of course. Older, more experienced gang members are simultaneously more active in crime and less likely to be caught than their greener comrades. But the basic point remains valid: A prolonged gang career greatly increases the chances of arrest and identification as a gang member.

Examining the age distribution of the gang databases permits a more accurate estimate of gang members in L.A. County: Given all the factors which tend to produce an undercount of younger gang members in GREAT, is there any way of making a more accurate estimate of true gang numbers? There is -- just so long as we remember that the result is an estimate rather than a count. The method, which involves extrapolation based on age, rests on several assumptions[267]:

1) Gang experts and researchers are correct in identifying the mid-to-late teens and early 20's as the peak years of gang activity.

2) Most boys who join gangs do so in their junior high and high school years -- and very few do so in their 20's.

3) The number of gang members in the GREAT system does not reach its peak at the age when gang members are most common in the population.

4) Instead, the age-peak in GREAT represents a point of equilibrium between two divergent trends: the tendency over time for police to identify a higher percentage of gang members within a given age cohort; and the tendency for the

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[267] This analysis is based on GREAT because it is the larger of the two databases available and because it already includes a portion of GTS. Simple estimates have been made for additional, unduplicated records in GTS. The ethnic distributions within GTS are not identical to those in GREAT but they are extremely close.

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Table II

AGE DISTRIBUTION OF GANG MEMBERS BY RACE AND GENDER
-- GREAT database; as of October 28, 1991 --

AGE	LATINO	BLACK	ASIAN	WHITE	MEN	WOMEN	TOTAL
8 to 11	14	8	2	0	21	4	25
12 to 14	704	201	43	35	993	145	1,138
Subtotal	718	209	45	35	1,014	149	1,163
15 years	1041	312	77	63	1317	191	1,508
16 years	1743	684	171	70	2328	278	2,606
17 years	2446	1014	251	104	3514	337	3,851
18 years	2838	1466	368	133	4517	323	4,840
19 years	3859	2013	415	132	5284	381	5,665
20 years	2914	2415	408	145	5591	341	5,932
Subtotal	14,841	7,904	1,690	647	22,551	1,851	24,402
21 years	3158	3142	454	166	6547	432	6,979
22 years	3149	3053	387	147	6382	402	6,784
23 years	3190	2907	386	155	6246	438	6,684
24 years	3274	3122	282	127	6379	461	6,840
Subtotal	12,771	12,224	1,509	595	25,554	1,733	27,287
25 years	3327	2992	265	120	6340	396	6,736
26 years	3304	2810	196	110	6068	397	6,465
27 years	3186	2490	161	114	5632	357	5,989
28 years	2992	1942	141	101	4884	327	5,211
29 years	2697	1592	107	79	4217	291	4,508
Subtotal	15,506	11,826	870	524	27,141	1,768	28,909
30 to 39	11913	4381	284	332	16285	826	17,111
40 +	816	136	22	34	955	61	1,016
Subtotal	12,729	4,517	306	366	17,240	887	18,127
TOTAL	56,565	36,680	4,420	2,167	93,500	6,388	99,888

NOTE: There were also 1,352 gang members in the system of unknown age; 64 of unknown race; and 51 of unknown gender.

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percentage of gang members to decline as that cohort ages beyond the years of peak gang activity.

5) At the age-peak in GREAT, the number of inactive gang members who should be deleted from the file roughly equals the number of active gang members in the cohort who have never been entered into the file. This last assumption, though useful, is purely arbitrary.

Keeping these assumptions in mind, let us turn to the age distribution within GREAT (see Table II). The number of gang members rises steadily until the age of 21, when it hits a peak and begins a plateau. The number remains roughly constant through the age of 25, after which it begins a steady decline. Because of the way age data is reported in the U.S. Census, it is easiest to focus on the years 21-24. All told, these four peak years account for 27,287 records. Correcting this figure to account for probable non-duplicated records in GTS, there are roughly 35,000 gang members aged 21-24 in the combined database -- 5.5% of the total available population in L.A. County.[268]

The gang database significantly understates the number of gang members in Los Angeles County: If we assume, as outlined above, that the true proportion of gang members in the 15-20 age cohort is <u>at least</u> as great as in the 21-24 cohort, there should be approximately 43,500 gang members of that age.[269] The actual number in GREAT is 24,402 which, when corrected for non-duplicates in GTS, means that roughly 31,500 are on file -- about 12,000 fewer than expected.

As an estimate of uncounted gang members, that number is probably far too low for several reasons. First, gang membership does not hold steady from 15-24. We know that people tend to join when they are younger and drop out as they grow older. So the proportion of gang members is probably somewhat higher in the younger age group. It is also true, by most accounts, that the number of youngsters joining gangs has accelerated in recent years. So we would expect to find a higher percentage among today's youth than in the preceding age cohort. There is also evidence (discussed below) that the undercount is especially severe among young Black males -- by far the most gang-prone group in L.A. County. We have also made no attempt to correct for any undercount in the 12-14 age cohort.

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[268] According to the 1990 U.S. Census, there were 647,961 people aged 21-24 in L.A. County at the time of the census (see Table IV).

[269] The Census counted 797,853 people aged 15-20 in L.A. County (see Table IV).

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Table III

L.A. COUNTY POPULATION BY SEX AND RACE; SELECTED AGES
-- 1990 U.S CENSUS OF POPULATION AND HOUSING --

	BLACK		ASIAN/PACIFIC		HISPANIC	
AGE	Male	Female	Male	Female	Male	Female
15 years	7,231	7,041	7,243	6,550	29,489	28,294
16 years	7,152	6,891	7,340	6,730	30,206	28,187
17 years	7,323	6,972	7,644	6,973	33,979	29,354
18 years	7,377	7,251	8,054	7,582	37,930	30,319
19 years	8,042	8,080	8,367	7,893	40,355	32,086
20 years	8,442	8,801	8,609	7,791	44,980	34,421
Sub-total	45,567	45,036	47,257	43,519	216,939	182,661
21 years	8,126	8,289	8,406	7,879	44,957	33,519
22 to 24	24,464	26,604	23,544	23,334	136,682	105,492
Sub-total	32,590	34,893	31,950	31,213	181,639	139,011

Table IV

LA. COUNTY POPULATION; SEX, AGE, ETHNICITY
--1990 U.S CENSUS OF POPULATION AND HOUSING--

	WHITE			ALL
AGE	MALE	FEMALE		PERSONS
15 years	27,464	26025		116,019
16 years	27,582	25960		116,706
17 years	30,255	26813		124,053
18 years	32,951	29304		133,488
19 years	37,775	34507		147,813
20 years	41,560	37103		159,774
Sub-total	197,587	179,712		797,853
21 years	41,434	36608		157,713
22 to 24	131,086	116750		490,248
Sub-total	172,520	153,358		647,961

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Finally, any estimate of the total undercount must recognize that different parts of the county have come into the GREAT system at different times, depending on local finances and other factors. Some cities are still not in, other are only now coming on line. A number of these cities -- Pomona, Huntington Park, Maywood and Bell, for example -- have serious gang problems. Yet their gang files have not been systematically entered into GREAT. Some gang members from these areas have doubtless been picked up through contact with police in other jurisdictions. Nevertheless, local authorities estimate that another 10,000 or so have yet to be entered into GREAT.

There are approximately 150,000 gang members active in L.A. County: On balance, it is likely that there are <u>at least</u> 20-25,000 gang members in L.A. County who have not yet shown up in any database. Adding that number to the estimated 125-130,000 gang members in the combined databases, there could are probably 150,000 gang members currently active in the county.[270]

GREAT reveals sharp gender differences in gang membership: Comparing GREAT data to Census data yields much more than a closer estimate of total gang membership. It also reveals some dramatic differences in rates of participation. The following analysis is based on comparisons of GREAT data (adjusted for probable non-duplicates in GTS) for the age-peak years of 21-24 and U.S. Census data for all persons of that age in L.A. County (see Tables I-V).

Looking first at gender, it is no surprise that only a tiny fraction of young women have found their way into the combined gang databases -- just over three-quarters of one percent of all women aged 21-24. By contrast, young men of that age are 12 times more likely to have records on file.

Although rates of gang participation for women (as measured by GREAT) are universally low, there are significant differences between women of different ethnic groups:

-- Just one percent of young Hispanic women belong to gangs, for example; yet women constitute 8.1% of all Hispanic gang members identified by law enforcement -- the highest percentage for any ethnic group.

-- Twice as many young Black women (almost 2%) belong to gangs; yet they constitute a very low percentage of all Black gang

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[270] Again, it should be stressed that this number is based on the <u>unpurged</u> databases and assumes that the number of gang records that would be deleted in a purge of the 21-24 age cohort is balanced by a corresponding number of undetected active gang members of the same age.

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members -- just 4%, the lowest for any ethnic group.

-- Asian and Pacific Islander women fall mid-way between Blacks and Hispanics in percentage of gang membership (6.2% of the total); but their overall rate of participation is much lower -- less than one-half of one percent.

-- Finally, young women make up roughly 5% of Anglo gang membership, but their numbers are vanishingly small -- less than one-tenth of one percent of all white females.

GREAT documents major ethnic differences in gang participation: When it comes to gangs, women are a sideshow. Young men are where the action is. Not surprisingly, some of the most significant information to be gleaned from the gang databases concerns rates of gang membership among males. As measured by GREAT (and adjusted for non-duplicates in GTS), the average percentage of gang members among men aged 21-24 in L.A. County is just over 9.5%. But that figure conceals some truly startling differences among ethnic groups (see Table V):

-- Less than one-half of one percent of white men aged 21-24 show up in a gang database.[271] The median age for white male gang members in GREAT is 23, one year younger than for the file as a whole. But the year of peak membership -- 21 -- is the same.

-- Asian youths in GREAT are much younger than gang members from other ethnic groups. Since Asians are more recent immigrants and newer to street gang membership, there is no large cadre of men who have been in steady contact with the police for 10-15 years to skew the statistics. Twenty-one is not only the year of peak membership, it is also the average age. Because the GREAT age-peak for Asian youth is 19-21, the percentage of gang members at 21-24 -- which is 5.8% -- may be misleadingly low when compared to other groups. A reasonable guess is that 6-7% of Asian youth are involved in gangs at one time or another.

-- While the average age for Latinos in GREAT is 24, the year of peak membership comes unusually late at 25 -- compared to 21 for all the other groups. Among Latino males aged 21-24, almost 8.5% are gang members. However, since the age distribution peaks at 23-26, instead of at 21-24, that percentage is probably too low for the years of highest activity. In all likelihood, something like 9-10% of Latino

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[271] It should be remembered, however, that 25-30% of those listed as white in the Census age breakdown are also listed as Hispanic. Considering only whites of non-hispanic origin, the percentage of gang members is a bit higher than half-a-percent.

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Table V

ESTIMATED PERCENT OF GANG MEMBERS AMONG PERSONS AGED 21-24 BY GENDER AND RACE
--GREAT database, as of 10/29/91; 1990 U.S. Census of Housing and Population--

RACE & GENDER*	AGE 21-24 # IN GREAT	ADDN'L IN GTS**	COMBINED TOTAL**	CENSUS COUNT	% OF POP.
ASIAN-M	1,415	425	1,840	31,950	5.8
ASIAN-F	94	28	122	31,213	0.4
WHITE-M	565	170	735	172,520	0.4
WHITE-F	30	9	39	153,358	0.0
HISP.-M	11,744	3,523	15,267	181,639	8.4
HISP.-F	1,035	311	1,346	139,011	1.0
BLACK-M	11,735	3,521	15,256	32,590	46.8
BLACK-F	489	147	636	34,893	1.8
MALE	25,554	7,666	33,220	345,897	9.6
FEMALE	1,733	520	2,253	302,064	0.8
TOTAL	27,287	8,186	35,473	647,961	5.5

* The gender counts are only approximate. They are based on the assumption that the overall male/female breakdown for each ethnic group is consistent from year to year.

** These numbers are estimates based on the proportion of duplicates found in the first 12,000 GTS records entered into GREAT

males in L.A. County get involved with gangs at some point.[272] This corresponds fairly well with the results of

[272] There is, of course, an admitted undercount in the Census which is believed to be especially severe for Latinos. That would tend to lower the percentage of gang membership and should be kept in mind when using a number like this one.

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earlier studies and with predictions by local experts.[273]

-- <u>The age distribution for Latino gang members in GREAT (male and female alike) is much older than for any other ethnic group.</u> At age 21, for example, the numbers of Black and Latino gang members are virtually the same; but among those over 30, Latinos outnumber Blacks almost three-to-one; and among those 40 and older the ratio is nearly six-to-one. Clearly, the powerful cholo subculture holds more gang members in thrall for a longer time. What is not clear is how much of this superior holding power is due to simple longevity. In their present form, the oldest Black gangs are perhaps 25 years old, while many Latino gangs are pushing 50. So it is not surprising that gang members in their 40's and older are much more likely to be Latino than Black. It may yet turn out that, over time, Black and Asian gangs show an age distribution more similar to Latinos.

Almost one-half of all young Black men are in the gang database: The most troubling data to be found in GREAT concerns young Black men. The age indicators for Black gang members are fairly routine -- an average age of 24, with 21 the year of peak membership. What is startling is the sheer number of gang members on file. Of all Black males aged 21-24 in L.A. County, just under 47% appear to have records in the combined gang databases. This greatly exceeds the estimates of local gang workers.[274]

As mentioned earlier, at age 21 the number of Black male gang members on file in GREAT is virtually identical to the number of Latino gang members. What is remarkable about that number is that there were almost 45,000 21-year-old Latino males counted in the 1990 census -- compared to just over 8,000 Black males of the same age.[275]

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[273] Malcolm Klein estimated that in the L.A. census tract with the highest percentage of gang members in 1960 roughly 6% of the 10-17-year-olds belonged to gangs. More recently, in 1988, James Vigil estimated that 3-10% of boys in L.A.'s Mexican barrios are gang members. Both estimates are cited in Spergel, et. al., Op. Cit., p. 30

[274] V.G. Guinses, for example, guessed that perhaps 10% of all Black young people might be involved with gangs. Allowing for the huge difference in gender participation, this might translate into 15-20% among young males.

[275] Of course, the 21-year-olds of 1990 are now 22 -- an age category which is subsumed within the 21-24 cohort on the Census summary tape. However, since this is an attempt at rough estimation rather than precise calculation, the numbers will do

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Nor is that single year an aberration. Before the age of 18, based purely on population, the number of Black male gang members in the combined databases should average around 21% of the total for Latino males. In fact, the ratio is higher than expected in that age range but not outrageous -- young Blacks show up at roughly 30% of the rate for Latinos. After the age of 30, Black males are roughly 28% as common as Latino males and, as expected, Blacks of that age show up in the database at roughly 25% the rate for Latinos. In between, however, there is a bulge of extraordinarily high numbers -- especially for the years 21 to 24. Black males of that age are only 18% as numerous as Latino males. Yet they are present in GREAT 99% as often as Latino males.

The high percentage of Black males in their 20's in the gang database may reflect any or all of several trends:

-- **Extraordinary numbers of Black youths may be failing to exit gangs at the traditional time.** Although this is a well-established trend among gang members of all ethnic groups, it may be especially severe among Black youth. Almost daily, the press reports on the closing of doors that can permit Black youths to exit gangs and enter the world of adult responsibility: high drop-out rates among high school students, high teen-age unemployment, a sharp contraction in the number of unskilled and semi-skilled blue-collar jobs. Even the military -- a reliable, though sometimes controversial escape route for many Black youths -- is beginning to shrink its rolls dramatically. That's good news in the context of world peace, but one more door closing in the context of South Central L.A.

-- **Crime, especially drug-dealing, may be a more viable career-path in the Black community than elsewhere.** The blockage of legitimate exits is but one side of the coin. The flip side is the degree to which illegitimate exits beckon. While overall drug-usage may not be appreciably different between ethnic groups, there is a big difference in usage of cheap, easily-sold "crack" cocaine. The drug is epidemic in much of the Black community, with a huge and geographically compact base of regular users who manage to scrape together money to buy in small doses. These conditions permit "crack" to sustain a huge clandestine economy.

While it is true that only small chunks of drug profits remain in the community, and that few gang members achieve (much less maintain) true wealth dealing drugs, these facts do little to tarnish the allure of the drug economy -- especially where it has no legitimate rivals as a high-wage

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employer of low-skilled youths. Thanks to law enforcement (and other dangers endemic to the trade) drug dealing is a high turn-over business; entry-level positions are always available; and opportunities for advancement are attractive from the vantage point of many gang members. This particular employer not only doesn't discriminate against gang members, it actively seeks them out. Indeed, drug dealing is one of very few careers where maintaining old gang connections is more an asset than a liability.

Black gang members reaching the age of self-support (quite an early age in many cases) are unlikely to know many people who can provide them with legitimate exits from the gang subculture. But virtually all will know someone who could set them up dealing drugs. While the same is true, to some degree, for gang members of all minority groups, the difference in degree may equate to a difference in kind.

In some communities, access to the truly profitable illegal activities is tightly held by adult organized crime groups. In others, the drug market is simply not big enough, or compact enough, to sustain large numbers of unsophisticated street dealers. In those same communities, extended family connections often provide an alternative exit from the gang (though not necessarily a particularly attractive one). All things considered, it is probably fair to say that in no other community are legitimate exits more thoroughly blocked and illegitimate exits more easily accessible. Faced with that deadly combination, small wonder that so many Black youths maintain gang connections well into their 20's.

-- **It is ironic and suggestive that the relative number of Black gang members on file begins to soar at age 18.** Traditionally, 18 has been thought of as the beginning of the end for gang cliques -- the time when their members begin to drift away from the gang in large numbers. GREAT shows an opposite pattern for Blacks. Prior to 18, the number of Blacks in GREAT is not overly large; afterward, their numbers begin to rise rapidly, peaking at 21 but maintaining a fairly constant plateau between 20 and 27.

This is consistent with the theory outlined above -- that because of the combination of limited access to legitimate exits and easy access to illegitimate ones, extremely large numbers of Black youths fail to leave gangs at the traditional age. Indeed, the data could even be interpreted to mean that the quest for careers in their late teens and early 20's is driving young Black men into gangs, not out of them! If the more traditional exit pattern continues to prevail in other communities, we would expect to see exactly what this data reveals: a very pronounced jump in the relative number of Blacks on file after age 18.

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The data are also consistent with the notion that the police, for whatever reason, step up their arrest activity disproportionately among young Blacks when they are no longer eligible for the juvenile justice system. That this happens is not really in dispute. The only question is why.

-- **Black youths are more likely to be arrested than other youths, which increases their chances of being identified as gang members.** It is well-established that Black youths are more likely to be arrested than others. Fully one-third of all Black youths in California have been arrested by age 30.[275] As discussed earlier, any factor (including long-term gang membership) which improves the odds of being arrested also improves the odds of being identified as a gang member. Race is clearly such a factor.

Higher arrest rates for young Blacks suggests that a much larger percentage of gang members are identified in the Black community than elsewhere; which, in turn, suggests that the numbers identified for other groups may be artificially low by comparison. But it does little to explain why the (presumably more complete) numbers in the Black community are so very high. It also begs the question of why Black youths are more likely to be arrested and identified as gang members.

Is it because of racism and harassment by the police? Is it because Blacks are disproportionately poor and likely to suffer the worst environmental and cultural effects of modern urban society? Is it because Blacks frequently live in high-crime neighborhoods? Is it because those neighborhoods demand and receive heavier police patrols? Or is it because Black youths are presumed more likely to belong to gangs and to break the law?

Most observers would agree that all these things play a part. But unless one is prepared to accept the most conspiratorial interpretations (like crime statistics manufactured to justify repression, or police who secretly condone the drug trade to weaken and enslave Blacks), simple racism on the part of the police is inadequate to explain the huge statistical disparities.

-- **Blacks may be over-identified as gang members.** Quite apart from any institutional racism, there are several reasons for speculating that Black youths may be more prone to mis-identification than other youths:

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[275] "Prevalence and Incidence of Arrests Among Adult Males in California" Focus, 1988, California Department of Justice.

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First, the fashion preference for gang-inspired clothing, language, music and paraphernalia is more widespread among urban Black youths than among any other group. This might make mis-identification easier for police officers with only a surface knowledge of gang phenomenon.[277]

Second, with such a high percentage of gang membership among teenage Black males, it's possible that peer-pressure on marginal youths to "claim the 'hood" when confronted by police may be higher than in other ethnic groups.

Finally, it is possible for one individual to "claim" several different sets depending on where he happens to be at the time. Thus "Bam" might claim one affiliation when stopped near his mother's home and quite a different one when stopped near his grandmother's home (where he lives part time). This virtually never happens among Latinos, where it would be regarded as disloyalty to the home gang. It happens often enough among Blacks, however, to account for a small number of duplicate entries in the combined gang databases.

On the other hand, there are also reasons to suspect that the situation may be even worse than the numbers suggest: While there are many ways to question the unwelcome message carried by the GREAT numbers, there is also a distinct possibility that the numbers understate the problem. For example, using the same assumptions outlined earlier to examine the under-21 portion of the GREAT file, it is clear that the undercount of young Black gang members is extremely high. Judging from the rate of gang membership at ages 21-24, we would expect to find some 22,500 Black male gang members on file aged 15-20. But GREAT and GTS together record fewer than 10,000. This suggests that young Black males may be undercounted in GREAT by roughly 12,500 -- a number larger than the estimated undercount for all gang members in the county, regardless of gender and ethnicity.

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[277] Ironically, many gang experts report that the most blatant forms of gang identification -- like "flying colors" -- are on the decline among hard-core gang members. It is too dangerous to do these things as openly as a few years ago -- both because of heightened police awareness and because of the risk of attack from other gangs. It may also be that widespread copying of gang styles has lessened the value of these things as marks of self-identification, encouraging instead a movement toward less ambiguous indicators -- like tattoos and flashing hand signs. Whatever the reasons, at a time when police are more and more conscious of the gang "look," that "look" may be less and less reliable as an indicator of hard-core gang membership.

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It is also important to remember that these countywide numbers make no allowances for differences in gang participation by neighborhood and economic class. If there are parts of the county where much smaller percentages of Black youth belong to gangs (Altadena? Baldwin Hills?), there may also be parts of the county where the percentage substantially exceeds 50% (South Central? Compton?). Finally, at least one local expert in Black gangs thinks that a great many young Blacks from middle class homes who are secretly involved with gangs do not show up in the gang databases because they have no criminal records.[278]

A careful, professional examination is needed to determine whether police procedures may be systematically over-identifying Black youths as gang members: Though there are many factors to be considered in evaluating these shocking numbers, there are none which make them more palatable. Some suggest that the problem may be overstated -- a false reading produced by mis-identification and/or discriminatory law enforcement. Other factors indicate that the problem may be even worse than the numbers suggest. On balance, there is no credible basis for significantly discounting these dismal numbers. When young Black men show up in police gang files at four or five times the expected rate, no amount of statistical tinkering can disguise the terrible scope of the disaster facing the Black community and all of Los Angeles County.

The numbers reported here are estimates and they require careful evaluation -- both to confirm their accuracy and to consider their implications. Among other things, it is important to examine the possibility that police procedures may be systematically over-identifying Black youths as gang members. Such a review should be conducted by persons knowledgeable on gangs and on police procedures, both from within L.A.P.D. and L.A.S.D. and from outside. Its purpose should be to inform policy makers of the true dimensions of the problem and to recommend changes, if any are needed.

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[278] Interview with V.G. Guinses, of Sey Yes

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CHAPTER SIX: CRIMINAL JUSTICE SYSTEM RESPONSES TO GANGS

This chapter does not deal with the court system nor with the corrections system. Both are relevant to a discussion of gangs, but the issues involved are complex and largely out of local control. To pursue them in depth would take this study beyond its proper scope. Instead, the focus is on local law enforcement and prosecutorial agencies. Because Los Angeles County has long had the most severe gang problem in the country, these agencies have been forced into direct and sustained confrontation with gang violence. Operating in one of the most competitive media markets in the nation, their policies and actions have been thoroughly scrutinized and criticized -- not only by the press, but by the public, by elected officials and by a broad range of community activists and leaders. Los Angeles is also one of the most studied cities in America by academic researchers specializing in gangs, gang violence and public policy responses. The result of all this attention and effort has been a broad range of anti-gang programs that are admired and debated, criticized and copied throughout the nation.

Los Angeles is a national leader in effective gang-enforcement: There is very little being tried anywhere in America to control gangs and gang violence that has not been tried somewhere in Los Angeles County. Whenever law enforcement experts are gathered to search for promising new approaches to the problem, it is a safe bet that someone will mention a program under way in some part of greater Los Angeles. What is more, L.A. gang experts are widely considered to be among the most knowledgeable and experienced to be found anywhere. So much so that they are deluged with requests for information, advice, assistance, training protocols, articles and presentations. It is no exaggeration to say that many could make full-time careers of appearing at seminars, conferences and colloquia around the country. In short, L.A.'s law enforcement professionals -- from police to prosecutors to parole officers -- are generally counted among the very best in the business when it comes to coping with gangs.[279]

Of course, such acclaim is cold comfort to besieged residents of the gang capital of America. There are those who believe that the reputation of Los Angeles gang-enforcement is the reflection of professional failure. It should surprise no one, the argument goes, that L.A. police have a lot to tell other cities about gangs. Perhaps if Peoria so lost control of its

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[279] This is not to say that L.A. law enforcement agencies are without critics in this field; far from it. The wave of bad publicity attendant on the L.A.P.D.'s Rodney King affair (and officer-involved shootings by L.A.S.O.), have damaged reputations all around. Even before these incidents, some L.A. gang programs -- like Operation Hammer -- were highly controversial.

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gang problem as to endanger the rest of the nation, the head of its gang unit would also be a sought-after speaker on the lecture circuit.

While such sentiments are understandable, they are misplaced. It is true that unsolved problems create their own experts. It is also true that the national reputation of L.A. gang enforcement is, for the most part, well-deserved. The point is important because, if missed, it can lead policy-makers on a fruitless quest for magically more effective law enforcement techniques. In truth -- and especially in light of available resources -- gang-enforcement and prosecution in Los Angeles is already of a very high quality, arguably the best in the nation. The criminal justice system's response to gangs can and must be improved; but no cheap or easy answers will be found in doing so.

LONG-TERM BARRIERS TO IMPROVED GANG ENFORCEMENT IN L.A. COUNTY

For more than a decade, now, this community has made law enforcement the primary focus of its anti-gang efforts. While no one would claim the results have been perfect, there have been some impressive accomplishments. Looking ahead to the next decade, there are major obstacles which limit the prospects for dramatic improvement:

Los Angeles is under-policed compared to other major cities. Given the enormous expanse of L.A. County, and its unusual concentration of crime problems, it might seem reasonable to suppose that more officers would be required to maintain a basic level of public safety here than in other, more compact cities. In practice, Los Angeles makes do with less.

The Christopher Commission found, for example, that in 1986 the City of L.A. had the lowest ratio of sworn officers per resident among the nation's six largest cities. L.A. also had one of the lowest ratios of officers per square mile of service territory.[279] Currently the average police staffing ratio for all jurisdictions in L.A. County is 1.7:1,000, compared to the national average of around 2:1,000. Bigger jurisdictions generally need higher ratios. Thus L.A.P.D. has a ratio of roughly 2.3:1,000 and the Sheriff's Department stands at approximately 3.6:1,000.[280] Even the Sheriff's relatively robust

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[279] The data was collected from the Police Foundation and cited in the Report of the Independent Commission on the Los Angeles Police Department; July, 1991; p. 22

[280] L.A.S.D. has approximately 8,150 officers to serve almost 2,250,000 people. L.A.P.D. serves the city of Los Angeles (nearly 3,500,000) with roughly 8,200 officers. In both cases, the actual number of officers at any given moment is usually

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ratio is still lower than heavily policed cities like Chicago and Detroit. Philadelphia, to cite a particularly relevant example, has a staffing ration of 4.0:100,000. Sheriff's officers also face the challenge of covering a huge, non-contiguous area instead of a relatively compact city.

Notwithstanding their well-publicized problems, the local law enforcement agencies do a lot with a little compared to other large urban police agencies -- especially L.A.P.D. Functioning with low staff ratios is admirable, but it does mean high pressure and low flexibility for redeployments to deal with problems like gangs -- a classic example being L.A.P.D.'s recent decision to disband the Detective Support Division, its only central gang enforcement team, in order to put more officers directly in the field.

Law enforcement productivity gains are no longer sufficient to keep pace with population growth. Like many labor-intensive service industries, law enforcement has had to struggle to make productivity gains. Nowhere has that effort been more successful over the years than in Los Angeles. All huge institutions have problems with bureaucracy, and there are certainly opportunities for further gains in law enforcement productivity, including redeployment from non-essential assignments.[281] But the L.A.P.D. and other local law enforcement agencies have long been national models for using communications, technology and mobility as substitutes for personnel -- which is one reason why Los Angeles has been able to function with fewer police officers than large metropolitan areas in the east and midwest.[282]

This trend has two consequences: First, police officers here are highly productive.[283] Second, public budgets have come

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somewhat lower than the official (authorized) number.

[281] As recently as January 19, 1991, the Los Angeles Times ran a lengthy article on the large number of sworn personnel dedicated to duties that civilians might perform at lower cost.

[282] Los Angeles has plenty of company among western cities in this regard. Virtually all maintain much smaller police forces than comparably sized cities in the east. Thus Chicago, with 80% of L.A.'s population, has 120% as many police. By contrast, even a compact, densely populated western city like San Francisco maintains a staffing ratio similar to L.A.'s -- San Diego's is even worse, and San Jose's is much worse.

[283] According to the Police Foundation (cited on page 23 of the Christopher Commission's report), L.A.P.D. officers are the busiest among the nation's large cities, by a wide margin. In 1986 they had the highest number of arrests per officer (3.1,

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to be based on the unspoken assumption that productivity gains will permit the number of police officers to grow more slowly than the population they serve. Unfortunately, given the extraordinary law enforcement challenges facing modern Los Angeles -- including our gang problem -- that assumption is probably no longer valid.

Los Angeles police agencies made their biggest productivity gains long ago. With forces already lean and mean by national standards, future gains will be increasingly difficult to come by. There is not much "slack" left in the system for coping with further population growth, increased gang violence or major turns for the worse in crime patterns (like the appearance of "crack" in 1984-5).

Fierce competition for limited public revenues in L.A. County make it difficult to increase police staffing for any purpose: During the era of relative austerity inaugurated by the passage of Proposition 13, police budgets have fared very well vis-a-vis other governmental services. Even so, because of tremendous population growth, there has been little improvement in police staffing. The number of officers on the streets has barely kept pace with the number of new residents working, living and committing crimes on those same streets. In many jurisdictions staffing ratios have actually declined.

If the ratio of police-to-population does not begin to rise -- or continues to move downward -- law enforcement will be hard pressed just to hold its own, much less improve the level of public safety. Pressure will build in all areas, not just gang enforcement; performance will suffer; and the past year's tensions between police and minority communities may turn out to be early indicators of a much broader crisis.

Unfortunately, there is no sign of improvement on the horizon. Even if the economy turns up soon, legal constraints on total public revenues will remain firmly in place. Not only are higher spending levels unlikely, law enforcement cannot easily expand its share of existing revenues since other important public services are also under great pressure. Overall, the outlook for hiring significantly more police is not encouraging.

Gangs and gang crime are growing much faster than the number of gang-enforcement personnel. The underpolicing problem is even more pronounced in gang-enforcement than in other areas. During the late '80's and early '90's, while gang membership and gang

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compared to 1.9 for second place Detroit); responded to the highest number of violent crimes (9.2, compared to 5.2 for second place New York); and responded to the highest number of property crimes (35.2, compared to second place Houston).

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violence were soaring, "...the number of personnel assigned to specialized gang units in L.A.P.D., Sheriff's Department, Probation Department and the District Attorney's Office has remained relatively static..."[285] That trend will continue. The demographic mix in Los Angeles -- with growth driven largely by youthful, ethnic immigrants -- virtually guarantees that gang membership will outstrip general population growth for the foreseeable future. Given the staffing realities outlined above, it will be difficult for the number of gang-enforcement personnel to keep pace.

Many of the easiest, least expensive gains in gang enforcement have already been realized in Los Angeles. Over the last decade, sheer necessity has driven Los Angeles to create and expand specialized anti-gang units, to step up gang training for all officers, to experiment with different field tactics, to focus on vertical prosecution, and to build and refine a powerful computerized gang database. In each of these areas, it would be fair to say that the county is among the nation's leaders. In some we are without peer. While none of these accomplishments came easy, they were all relatively low-cost/high-yield strategies. Fewer opportunities remain for this kind of shrewd cherry-picking.

Because the scope and severity of the gang problem in Los Angeles are unique, prospects for imitating programs that have succeeded elsewhere are limited. A great many cities are struggling with gang problems, which means that a wealth of practical experience is available about what works and what doesn't. Every city can profit from an exchange of ideas and information; but Los Angeles is not likely to find the answer to its gang problems through this process.

With the possible exception of Chicago, no other large city in America currently has a gang problem comparable to Los Angeles. Gangs here are older, more widespread, more violent and more thoroughly rooted in a vigorous subculture than in other cities. Los Angeles is also (with New York and Miami) one of the nation's largest illegal drug-distribution centers, quite possibly <u>the</u> largest. Unfortunately, this deadly combination puts Los Angeles in a better position to teach than to learn when it comes to gangs and crime. It is one thing for Phoenix to learn from mistakes (and successes) in L.A. as it attempts to prevent gangs from getting out of hand; it is more difficult to build a strategy for South Central L.A. based on what is working

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[285] <u>Report on the State of Los Angeles Street Gangs</u>; Los Angeles County Interagency Gang Task Force; November 1991; p.3. It should be noted that, insofar as the District Attorney's Office is concerned, the Hardcore Division has <u>not</u> been static. It has expanded substantially in the last few years.

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well in Phoenix.

The most obvious anti-gang strategies for Los Angeles are also the most expensive. One much discussed anti-gang strategy is a move to community based policing, the costs of which are discussed in detail below. Another obvious strategy is to put more police on gang detail. That is what the only big city in America with a gang problem comparable to ours has done.

What lessons does Chicago offer for Los Angeles? In 1990, when the L.A.P.D. had approximately 100 officers in its gang units, Chicago -- a less populous, more compact city than L.A., with a much smaller gang population -- had over 300 officers assigned to gang duty.[286] Many different factors can make it misleading to compare such numbers directly. Nevertheless, taken at face value, they suggest that Los Angeles would need as many as 400 additional gang officers just to match the level of enforcement in Chicago, not to mention a substantial number of reinforcements for the Sheriff's Department.[287] Of course, those numbers do not take into account the much larger patrol force that Chicago gang units can call on for assistance as needed.

The bottom line is that Los Angeles needs more police officers, with the reinforcements used to implement community based policing, to strengthen gang enforcement, or both: While some gains in performance may be possible through redeployment, the need for additional officers is substantial and probably cannot be met without significant new hires -- especially in L.A.P.D. Whether new or redeployed officers should be used for community based policing, gang enforcement, or some combination of the two is a strategic decision that will vary from jurisdiction to jurisdiction -- and from neighborhood to neighborhood within jurisdictions. Recognizing the need is easier than meeting it. But the need for reinforcements on the violent streets of modern day Los Angeles is indisputable.

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[286] Irving Spergel, et. al., Youth Gangs, Problem and Response; April, 1990; p. 181

[287] The Sheriff's gang units are currently staffed at levels similar to L.A.P.D.'s, even though their service area has a smaller population. On the other hand, it is dispersed over a larger geographic area.

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COMMUNITY BASED POLICING AS A RESPONSE TO GANGS

Community based policing has the potential to be a very effective gang enforcement strategy: An alternative (or complement) to larger specialized gang units which has been widely recommended for Los Angeles is community based policing. This strategy, developed in Houston, Portland and many other cities, holds great promise for gang enforcement -- as does the even more ambitious problem-oriented strategy.

A key goal of community based policing is to use the police force to help reassert traditional forms of social control. In part this is accomplished by making beats smaller and giving officers more time, incentive and personal responsibility for knowing the citizens in their area. Over time, using the police to support and strengthen the fabric of the community also allows neighborhoods to help protect themselves in ways that have atrophied in today's impersonal society. Churches, neighborhood organizations and many other groups can make powerful contributions to public safety if they have regular personal links with the police.

The applications for gangs are obvious. If police officers know the active and potential gang members on their beats, and have relationships with their families, their effectiveness can be greatly increased. The same is true if the neighborhood trusts its local police and has a stake in keeping them well-informed both before and after crimes. This aspect of community based policing fits well with the principle of fighting gangs by stressing individual (as opposed to group) accountability, a concept which will be dealt with in more detail below.

The city of Reno, Nevada has shown what community based policing can do to fight gang violence: Reno adopted a community based policing program in 1988, when drive-by shootings were running at roughly 40-50 per year. The following year, the total dropped to seven. In the first half of 1991 there were none. Black gangs have largely disappeared, though this may be misleading since the local Black gang culture was not deeply rooted. Local youths had simply copied the style of Crips and Bloods who had moved in from Los Angeles and taken over the drug trade. Far from disappearing, Hispanic gangs have continued to expand as the city's Hispanic population has grown. Still, gang crime has dropped dramatically.

Neighborhood police officers in Reno focus on identifying young "wannabes" and intervening before they become hardcore gang members. At the first sign of gang involvement, kids are picked up and returned to their parents. Churches and social service agencies are involved and available, along with the police, to help parents keep a kid off the road to ruin. The police department backs up this basic effort with recreational programs

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and other anti-gang projects. The results have been gratifying.

Community based policing is no panacea for our gang problems: Those who believe in community based policing must be careful not to load it down with unrealistic expectations. Reno is not Los Angeles. The problems here are of a scale and complexity that, fortunately, Reno and other cities have not yet had to face. Stopping something new from getting established is always easier than rooting out something old.

The geography of Los Angeles also imposes real limits on community based policing. In a city where gangs are highly mobile, beat-oriented police are going to have some problems. Some gangs range from city to city without a second thought. No cop on foot will be able to cope with that. Gang members cruising the streets in L.A. are a different proposition than gang members on foot in New York. Their hanging out is not necessarily confined to the immediate neighborhood. Neither are their crimes.

In addition, it is worth remembering that the neighborhood beats and foot patrols of earlier times and places did not prevent gangs from flourishing. New York and Chicago are both places that people associate with "the cop on the beat." Yet both had their heydays as the gang capital of America. Sprawling Los Angeles will never have the kind of block-by-block beat coverage that is taken for granted in those cities, so we should not be expecting miracles from community based policing.

Nevertheless, community based policing is a necessary part of the solution to gang violence in Los Angeles: Los Angeles is a place that has never built the cohesive neighborhoods of eastern cities -- or of San Francisco, for that matter. Such neighborhoods are places where individuals are known to one another through family and social ties -- and where each person knows he (or she) will be held accountable for behavior that hurts the community. To the extent that one subscribes to the "social disorganization" theory of gang formation, the lack of a strong neighborhood infrastructure for urban life in Los Angeles makes the city uniquely vulnerable to gang activity. Klein and Maxson, among others, believe the city of Philadelphia has been able to address its gang problems successfully in large part because it has such an infrastructure.

A city that lacks strong neighborhoods cannot conjure them into being simply by adopting community based policing. But the police can certainly operate in ways that strengthen neighborhood cohesion and social controls rather than ignoring or undermining them. This is one of the most basic steps we can take to reassert individual responsibility in the lives of young people. It is the beginning of wisdom in the fight against gangs.

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For all its promise as an anti-gang strategy, community based policing cannot be done on the cheap: Unfortunately, community based policing is relatively labor-intensive and probably cannot be implemented effectively in Los Angeles without substantial increases in personnel.[288]

The L.A.P.D. has begun an extensive experiment with community based policing, and many other local jurisdictions have begun to adopt its principles. But Chief Gates has already warned against a false expectation that the new philosophy will mean more officers patrolling neighborhoods, and changes thus far are more rhetorical than real.[289] While that comes as no surprise in the short-term, the long-term outlook is also problematic. Focussing police attention on the principles of community based policing will undoubtedly benefit Los Angeles; but the principles alone cannot substitute for adequate staffing.

In a sprawling place like Los Angeles, the goals of community oriented policing (like regular foot patrols and taking time to get to know people on the beat) are inherently in conflict with traditional police goals based on high-mobility (like rapid response time). There are only so many officers; they work only so many hours; and those hours are already spoken for. Adding new duties will not create more hours. For the new priority to flourish, an old one must suffer; and the usual candidate is response time:

> "The first shock for many residents in [community based policing] cities is that response time to some emergency "911" calls becomes slower, as a recent report found in evaluating Houston's police department, one of the first to abandon traditional policing. Departments begin to rank calls in a sort of 911 triage, where only the most critical calls -- say a man with a gun -- receive an immediate response."[290]

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[288] "Many of [Community Oriented Policing's] insist it will require no additional funding because it is more a 'philosophy' than a program. But many departments, including New York City's [which starts with a much higher officer-to-resident ratio than Los Angeles], have found that the strategy necessitates more officers..." Laurie Goodstein, "Bringing Back Andy Taylor and Barney Fife," The Washington Post National Weekly Edition, Dec. 30, 1991 - Jan. 5, 1992; p. 31

[289] Hector Tobar, "Community Based Policing Begins in 5 L.A.P.D. Divisions," Los Angeles Times, Monday, January 27, 1991; p. 1

[290] Laurie Goodstein, Op. Cit.

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The use of such expedients is already an unhappy fact of life in Los Angeles. Even so, the L.A.P.D. is struggling to maintain adequate response times. Just to meet the department's own modest goals would require a large number of additional (or reassigned) officers. Even then Los Angeles would remain well above professionally recommended levels for response time -- and that is before any deterioration which might result from community based policing.[291]

To suggest that this sweeping change in police strategy can be implemented here with existing personnel -- and without negative consequences -- is disingenuous. One of two things is likely to happen: Either community based policing will be fully implemented and perceived to seriously degrade current police protection; or, more likely, the strategy will be implemented in name only, with officers under such pressure to maintain response times that they give no more than lip service to the new principles. Either way, a promising idea may be judged a failure.

PROBLEMS OF BUILDING AND USING A GANG DATABASE:

Turning from long-term problems to current assets, no program speaks more highly for the initiative of local law enforcement -- nor offers greater possibilities for future gains in gang enforcement -- than the creation of a powerful computerized gang database. In an era of limited resources, targeted enforcement efforts are essential, and effective targeting requires an accurate, high-quality database.

The Origins of GREAT: Nationwide, the move to computerized databases in law enforcement has been surprisingly slow. Only in the last five or six years has real progress been made, with California playing a leading role. A case in point is the GREAT (Gang Reporting Evaluation and Tracking) System. GREAT is the nation's pre-eminent gang database, and its existence is a tribute to the foresight and energy of local law enforcement.

In 1985 L.A.S.D. submitted a grant application to the state Office of Criminal Justice Planning to build a regional gang database. The idea was well-received, and L.A.S.D. ended up submitting a cooperative application for funding along with L.A.P.D. (and, on a parallel track, the County Probation Dept.).

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[291] The move to "triage" was made long ago in Los Angeles. The Los Angeles Times (1/19/91) reports that waits currently average more than 30 minutes for routine citizen calls. Even so, the L.A.P.D. remains a very long way from reaching its modest goal of a seven-minute response time for emergencies. Law enforcement experts generally believe that emergency response times should be no longer than five minutes.

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A four-year grant for $234,000 a year was awarded in 1986. The Sheriff's Office serves as the administrator for the grant (though funding is shared with L.A.P.D.) which expired on February 29, 1992 (a series of extensions pushed back the original four-year time line).

GREAT is based on arrest reports, personal interviews, probation reports and FI (Field Inquiry) cards filled in by law enforcement officers throughout the county. In those jurisdictions which have joined the system, all persons identified as gang members go into GREAT, along with basic information (birth date, gender, race, physical description, address, etc.), gang information ("monikers," gang affiliations, tattoos and other distinguishing marks, etc.) and information on police contacts.

L.A. County should continue to support efforts to create a statewide network of gang databases: At the time GREAT was getting under way, in 1986, the State Task Force on Youth Gang Violence recommended that a computerized gang tracking system be developed statewide. Although the idea for a state system is technically still alive, it has languished since that time and only Los Angeles has managed to build an effective regional database. A number of trends support the need for a statewide system: The growing number of gang members who service mini-drug-networks involving several cities; the tendency of gang members to migrate to new locations as families pull up stakes and move; the high mobility of certain types of gangs -- especially Vietnamese and Southeast Asian. Since Los Angeles is, for the most part, an exporter of gangs rather than an importer, such a system would probably be more beneficial to other regions; but its value to Los Angeles would still be substantial.

GREAT was proposed as a unified system despite a history of strong institutional rivalry between L.A.S.D. and L.A.P.D.: GREAT was envisioned as a unified, cooperative gang database. In practice, however, it has not yet fulfilled that promise. The most important reason is the ongoing institutional rivalry between the county's two largest law enforcement organizations.

Computerization of law enforcement records is an expensive process paid for primarily with state and federal grants. Those who disburse these funds universally favor regional cooperation -- both because they believe it effective and because they wish to avoid wasteful duplication of facilities. In consequence, state and federal authorities tend to perceive the Los Angeles Sheriff's Office as the logical operator of regional or county-wide databases and as the appropriate administrator of shared funds.

As anyone familiar with the political geography of Southern California can attest, that is a naive world-view. In regional

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terms, the surrounding counties jealously guard their independence from the behemoth that is Los Angeles. In addition, there exist within L.A. County many local police departments which resist central control of any kind. The largest, oldest and most prestigious of these, the Los Angeles Police Department, has overshadowed even the Sheriff's Office for most of their joint history. While the L.A.P.D. no longer dwarfs the L.A.S.D., it remains -- as many a grant-maker has learned to his sorrow -- as independent and formidable as ever.

The L.A.P.D. has never acceded to any arrangement which would leave it dependent on the L.A.S.D. for internal computer services. So it was quite predictable that the computerization of L.A.P.D. gang files -- which began in 1986, but speeded up dramatically when GREAT funds became available -- would proceed on a separate track. It would be wrong to portray this as nothing more than petty institutional rivalry. There are serious questions of jurisdiction, accountability, daily operations and access -- not to mention substantial investments in hardware, software and training. Nevertheless, it would be fair to say that each department -- and especially L.A.P.D. -- has been intent on maintaining complete computer independence.

L.A.P.D. eventually decided to build its own system, completely separate from GREAT: Within the field of gang information, relationships between the two organizations are cordial and professional. But possibilities for full cooperation are limited by technological decisions dictated to some degree by the L.A.P.D./L.A.S.D. rivalry. GREAT was originally conceived as an easy-access, user friendly interactive network for all law enforcement officials in the county. In line with that vision, the Sheriff's Department has based the system on IBM-compatible personal computers and has chosen software that is well-suited for a PC network. Modem-linked terminals for retrieving (and, with some exceptions, for entering) GREAT information are spread throughout the county. Any law enforcement agency can come on line if they buy the proper equipment, agree to a protocol for use of the system, and make their own gang data files (if they have any) available for entry.

From the start, L.A.P.D. was leery of this arrangement; uncomfortable with the notion of easy (possibly unauthorized) access; and very resistant to allowing any of their data to be changed by outsiders. The City of Los Angeles also had a policy against the use of modems. For these reasons and others, L.A.P.D. placed a high priority on developing its own internal computerized Gang Tracking System (GTS).

Not only is GTS totally separate from GREAT, it is mainframe

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dependent, less accessible through remote terminals[292], and uses software incompatible with GREAT. This is no accident. The gang system helps justify the cost of the mainframe used by L.A.P.D. -- which serves other city and Departmental needs as well.

The decision to build a completely separate system has had many practical consequences, most of them negative:

-- L.A.P.D. officers have less than optimal access to the benefits of their own department's extensive gang database.

-- L.A.P.D. officers cannot readily access gang information on the much larger county file (and vice-versa, officers from other jurisdictions have no easy access to GTS files).

-- There is a considerable, though undetermined, amount of duplication in the two files.

-- Different standards and procedures for data entry raise issues of reliability and comparability.

-- In general, there is no easy way to gain the full benefit of a truly unified database.

Future developments will make separate systems an even less desirable arrangement: These consequences are especially unfortunate because so many other regional issues concerning GREAT have been worked out satisfactorily. Most other police departments in L.A. County are linked directly to GREAT, and the few holdouts (mostly for financial reasons only) are gradually coming on line. The major surrounding counties -- Orange, Riverside and San Bernardino -- have all agreed to link up with the system in the near future. When that occurs, only the L.A.P.D. will be outside the GREAT network in terms of direct access.

Not only will this weaken the regional system and tend to de-emphasize cooperation between other departments and the L.A.P.D., it will place L.A.P.D. gang enforcement officers in an increasingly disadvantageous position. The Department's less flexible system is likely to fall farther and farther behind GREAT in technological terms. To cite just one example, GREAT is scheduled to add a color photo-retrieval capability in the spring of 1992. Whether or not that deadline is met, GREAT will have

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[292] For technical reasons, remote access is not as easy to provide through GTS as it is through GREAT. Nevertheless, the system is accessible through terminals at every L.A.P.D. station. Because each station's terminals are heavily used for access to a variety of departmental computer files, however, many CRASH officers find it easier to request GTS data by phone.

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such a capability in relatively short order. GTS will not.

Gang units in L.A.P.D. and L.A.S.D. are attempting to bridge the computer gap; but a unified system would serve Los Angeles better than a shotgun wedding of two incompatible systems: Neither department has ignored the problems caused by their incompatible gang systems. Partly to meet the conditions of the GREAT grant, and partly out of a genuine desire to work together, several ameliorative measures have been implemented.

The L.A.P.D. for example, periodically dumps large portions of the GTS database and turns them over (on tape) for entry into GREAT. Apart from issues of timeliness (manual transfer can take months) and ready access to the data, the main problem with this approach is that, in case of duplicates, it requires either a set of dual records or a serious loss of information. For example, suppose GTS shows one current address and GREAT shows another. In the absence of reliable time-codes for both sets of data, which should be discarded? The keepers of GREAT believe neither address should be lost. They keep inefficient dual records on individuals that appear in both files rather than lose this kind of information.

Efforts are under way to electronically translate GTS data into the GREAT format, thus creating a regular one-way flow of information. If all goes well, such a system will be in operation by the spring of 1992. In addition, L.A.P.D. is working to make GREAT directly accessible by modem at a limited number of locations and to improve the accessibility of its own system within the department.

These steps will strengthen the combined databases and will be of special help to L.A.P.D. gang officers who currently lack easy access to either system. But neither step will eliminate the duplicate data problem. Nor will they provide the full benefits of a united database. Complete two-way compatibility is needed but will be difficult to achieve after large investments of time and money in the current systems. Any initiative in this area will have to come from the City of Los Angeles -- either through internal reconsideration at L.A.P.D. or through intervention by the Police Commission or the City Council.

Procedures for reviewing and entering data should be standardized to control who gets into the system: A key benefit of a unified system would be much-needed standardization of controls and procedures for entering data. It is important to remember, when making estimates based on GREAT, or any other database, that the system can be no better than the data entered into it. The rules and procedures for gathering and entering the data constitute a set of hidden assumptions that are rarely understood by end users of the system. GREAT and GTS use similar but non-identical procedures for verifying data; and GREAT uses slightly different

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procedure today than it did in pre-GREAT days when a substantial chunk of its data was gathered.

GREAT was preceded at L.A.S.D. by a rudimentary computerized file called IGIS (Internal Gang Information System). So the principle of a centralized gang file is well-established in the Sheriff's Office. L.A.P.D. also has a long history of keeping effective gang files, but centralization is a more recent concept there. GTS was built by copying and entering the files that had been (and still are) maintained manually by each local CRASH (Community Resources Against Street Hoodlums) unit. The conversion process is not 100% complete, and until GTS files can be conveniently and quickly accessed via remote terminals, the local paper files will continue to receive heavy usage -- even after the central file is complete.

Both GREAT and GTS rely to some extent on FI (field inquiry) cards. All FI's entered into GREAT by L.A.S.D. are screened by trained O.S.S. (Operation Safe Streets) deputies. Other agencies who opt into the system are required to limit input to members of specialized gang units (or, if they have none, to the person in charge of gang investigations). In theory, the same is true at L.A.P.D. But because gang operations there are more decentralized, much depends on the practices and the personnel of local CRASH units. In some cases, inexperienced or untrained officers may enter data into GTS (and, eventually, into GREAT). In addition, as one high-ranking L.A.P.D. officer pointed out to us, the composition and reliability of the database varies greatly with the degree of pressure by local commanders to identify gang members.

Linking parole and probation data into the gang database: Once law enforcement data is computerized, pressure builds to seek full integration of, and broad access to, all available information. That tendency must be yielded to only grudgingly and with careful review, if at all. That a thing can be done -- like instant dissemination of confidential criminal records -- is never sufficient justification for doing it. However, there are situations where joining data bases makes good sense. One of the most serious weaknesses of GREAT (and GTS) is that the system contains no information on parole or probation. That kind of data is available; it is public record; and the need for it is cited repeatedly both by community youth workers and by law enforcement, though often for different reasons.

Community gang workers want advance knowledge of release dates for hardcore gang felons coming out on parole: Those involved in community organizing, youth gang intervention and other social services are especially interested in this information. There are frequent references to the problem of older, hard-core gangsters getting out of prison only to settle old scores and try to reclaim by force the positions of dominance and leadership

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taken over by others in their absence.

The relationship between prison releases and sudden outbreaks of violence is so predictable, they claim, that gang violence in many neighborhoods can be charted in long cycles: rising gang violence reaches a peak which brings a vigorous police crackdown and a series of arrests; a period of relative calm prevails while the worst of the shooters and leaders are incarcerated; then, having been arrested at about the same time, all these bad actors are simultaneously released back into the community; within a very few weeks or months, the cycle begins again with gang violence on the rise and heading for a new peak.

Those who subscribe to this theory believe that early and accurate parole information would be invaluable. At the least it would alert community workers to potential problems before they happen; at best it would permit gang enforcement officers to closely monitor newly released hard-core gangsters. The increased attention might prevent some violence; if not, it would at least lead to quick re-incarceration of the incorrigibles.

Gang enforcement officers are skeptical of this theory. They doubt the cyclical effect because there is constant movement of gang members in and out of prison, and because even gangsters involved in the same incident are often convicted of different crimes and sentenced to different terms. They rate the idea of waves of arrest and release as more anecdotal than real. They are also less sanguine about the ability of street workers to take any effective action even if they knew of impending releases. Still, they are positive about having access to such information and open to the possibility of sharing it with community workers if that could be done legally, efficiently and without any kind of direct access to the gang database.

Law enforcement wants quick access to conditions of parole and probation for hardcore gang offenders: Law enforcement officials tend to be less interested in release dates than in conditions of parole and probation. The reason is straightforward: knowing these things makes it much easier to arrest and imprison hard-core gang members.

Most hard core gang members eventually spend time in prison, and the rate of recidivism is high. But ex-con gang members cannot be arrested, even when the police have good reason to believe they're involved in ongoing criminal activity, unless they are caught in the act. The major exception to that rule involves arrest for violating the conditions of parole or probation. Such conditions might include a ban on associating with gang members, using drugs or alcohol, or carrying weapons. Gang members arrested for violating them get revocation hearings rather than trials. They can be returned to custody almost immediately.

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At any given moment, a fair number of gang members are on parole or probation and, of these, a great many are routinely violating the conditions of their release. Easy access to that information can turn a routine stop into a quick arrest and re-incarceration. It can also give officers useful leverage in dealing with reluctant witnesses in gang investigations.

Bureaucratic inertia is the major obstacle to adding parole and probation information to GREAT: Basically, the information needed is very simple: gang member "X" is due out (or was released) on probation or parole as of date "Y;" his term on parole (or probation) will expire as of date "Z;" his parole/probation officer is "A," who can be reached at "B;" and the conditions of his release are "C" and "D." The sources of such information are very limited: the Department of Probation for L.A. County (and for the other counties in the region); the California Youth Authority; and the Calif. Dept. of Corrections. Yet all this apparent simplicity is quite misleading.

Just as with the L.A.P.D./L.A.S.D. rivalry, there are serious (and expensive) issues involved: the cost and time involved in building integrated systems; differing agency priorities and confidentiality requirements; incompatible hardware and software; and the reality that each of the information-providing agencies believes itself to be in a catastrophic budget situation. In truth, these problems could all be overcome if County government were intent on overcoming them. The real barriers are inertia and money.

County probation records are easier to come by than state parole records: Obstacles are easier to surmount when cooperation is required between two county agencies. For instance, the L.A. County Probation Department was a part of the original GREAT grant application and has always intended to be a part of the system. In theory, it will finally be able to provide GREAT with information on conditions of probation, on an experimental basis, sometime this year -- but only for those relatively few cases designated for specialized gang handling within the Probation Department.

Far more daunting obstacles stand between state and county cooperation. Basically, the state correctional agencies are not in the business of sharing their information with the locals and don't intend to be. The CYA has been marginally more open to the possibility than the CDC, but neither has the incentive nor the inclination to incur unnecessary expense for this purpose.

County officials should help make the term and conditions of probation and parole for hardcore gang members available for inclusion in GREAT: This is one of those problems that could give political pressure a good name. A united L.A. County request -- from the Board of Supervisors, the L.A.S.D. and the

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L.A.P.D.; through the Governor's Office and the Legislature; to the CYA and the CDC -- would probably work wonders on parole conditions. Meanwhile, at the County level, encouragement from the Supervisors would speed and broaden probation's entry into the system. Ideally, such information should be available for all hardcore gang members.

DIFFERENT STYLES OF POLICE GANG ENFORCEMENT:

Because gangs are a problem of such long standing in Los Angeles, a lengthy document could be written about the history of anti-gang efforts within each of the major law enforcement agencies. Instead, what follows is a brief sketch of current issues -- how the departments differ (or agree) in their general approach to gangs, their key programs, and their strengths and weaknesses as perceived by outside observers.

L.A.P.D. is perceived to have a more confrontational gang enforcement style than L.A.S.D.: Here are some fairly typical comments from outside observers, cited in a national gang study:

> "It is instructive to contrast the approaches, or at least the different emphases in gang policing, by the Los Angeles Sheriff's Department and the Los Angeles Police Department. The Sheriff's Department has a tradition of close association and interaction with local community groups in dealing with the gang problem. The city police department is more distant and somewhat distrustful of local community groups who tend to be regarded as unstable and ephemeral."[293]

> "The Sheriff's Department OSS program targets the most violent gangs and emphasizes developing rapport. The members work in plain clothes and are more informal, talk often with gang members and have many more positive contacts. Their program includes an extensive training program and the group experiences very little turnover. In contrast, L.A.P.D.'s CRASH program aims at total suppression and frequent harassment of gang members. They work in more formidable uniforms, are more confrontational and hostile, and in many instances have alienated themselves from possible sources of information. They provide very little training and there is very frequent turnover."[294]

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[293] Irving Spergel, et. al, Youth Gangs: Problem and Response; April, 1991; pp. 187-8

[294] Mary G. Harris, CHOLAS, Latino Girls and Gangs; New York; AMS Press, 1988; p. 196

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Not everyone would draw these distinctions so sharply, but the broad outlines were confirmed by those we interviewed. It would also be fair to say that the hard-nosed, full-suppression approach associated with the L.A.P.D. draws substantially more academic and community criticism.

Some researchers believe that group confrontation tactics may inadvertently strengthen gangs: For example, professors Klein and Maxson of U.S.C believe that the internal cohesion of gangs, normally quite low, is increased by group confrontation tactics. This line of criticism is both highly theoretical and strongly subjective. There is no research to confirm or disprove it. The theory is that gangs define themselves largely by their enemies and the police can be a very high-status, unifying enemy. Thus policies which confront gang members as part of the group (rather than as individuals) may achieve the opposite of what is intended -- strengthening gangs instead of weakening them. This critique is not limited to the L.A.P.D. Even less confrontational styles can have the same effect if they unwittingly reaffirm the group ethos. Maxson and Klein believe that any unnecessary focus on group identity (overuse of gang names, for example) can be counterproductive.[295]

Others of a less theoretical bent have reached similar conclusions: "L.A.P.D. needs to back off of profile-based stops and searches. They alienate the community and the gang members, bonding them more firmly into the gang mentality."[296]

Still others simply believe that all-out gang suppression tactics don't work: "...[E]xperience and studies have yet to show an instance in which a street gang was dissolved or put out of action because of suppressive police action. When police pressure is intensified on a street gang, its members typically go underground and become secretive."[297] Of course, from the point of view of suppressing crime, having gang members "go underground and become secretive" is a highly desirable outcome. Neighborhood residents would doubtless consider that a success.

Even though all-out suppression tactics cannot be sustained by police, they can be successful in certain situations: Whatever their limitations, shows of force by the police are advocated by many in law enforcement. Typically, a gang-infested neighborhood will be saturated with police. Every known gang member will be

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[295] Interview with Klein and Maxson; August, 1991

[296] Interview with Sandra Figueroa, Executive Director of El Centro del Pueblo; August, 1991

[297] Robert K. Jackson and Wesley D. McBride; Understanding Street Gangs; Costa Mesa, 1985; p. 108

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sought out and, if possible, arrested. Those not arrested will be subjected to frequent surveillance and harassment.

The recurrent criticism of this tactic is that it makes no lasting impact because the police cannot sustain it. Overtime cannot be paid forever, other duties cannot be neglected, other neighborhoods cannot be permanently stripped of forces. Once the police presence slips back to normal, so does the gang activity.

Nevertheless, there may be situations where a short burst of high-energy suppression works well -- for instance, in stamping out newly emergent gangs before they can get established in a neighborhood. Sheriff's officers report a recent success of this kind with a small gang causing trouble at a Temple City park. Swift, decisive action at the first sign of gang activity appears to have ended the problem by virtually wiping out the gang, at least for now.

Programs like Operation Hammer are highly controversial among gang experts: Similar tactics have not always fared as well in neighborhoods where gangs are already well-entrenched. Probably the most widely debated example of the L.A.P.D. "style" has been Operation Hammer, in which massive sweeps were conducted to arrest all gang members and other suspicious characters out and about in a given area on a given night. On one spectacular occasion, 1,453 people were arrested, including 794 gang members. A special mobile booking unit was set up at the Coliseum to handle them all. The District Attorney's Office later reported that only 60 of the arrests had been for felonies, of which just 32 of were charged. Most of the gang members caught up in the sweep were back on the streets in 24 hours.[298]

Although the L.A.P.D. has reduced its reliance on Hammer-style sweeps in recent years, it continues to believe that they are effective. Among gang experts outside of L.A.P.D., however, Hammer supporters are hard to find. A common critique is that the most significant outcomes are in the field of public relations. Declines in gang activity, and improvements in public safety, are said to be ephemeral at best. The criticism is not unanimous, however. The City Attorney's Office, which works closely with L.A.P.D., believes the sweep tactic can be effective in sending a message not only to gangs but to the rest of the community, and it helps to identify gang members.[299]

Less confrontational tactics associated with L.A.S.D. seem to improve community/police relations: Gang units in the Sheriff's

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[298] Information released to the public by D.A. spokesperson Sandi Gibbons on April 11, 1988

[299] Interview with Bruce Coplen, L.A. City Attorney's Office

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Department have generally eschewed high-visibility suppression tactics like Hammer. While fully committed to suppressing gang violence, the L.A.S.D.'s gang units are less focussed on harassing and breaking up gangs than their counterparts in L.A.P.D. Their style is more like the one described in this passage:

> "The role of the gang crime officer becomes essentially one of maintaining order as well as controlling the excesses of gang activity. A process of joint involvement with key community organization and established agency representatives is required based on intimate knowledge of local neighborhood and gang behaviors. When a gang-related crime occurs, it has to be put into context. The police officer should know who might be involved and what the basis of the crime might have been. This approach presumes a strong day to day working relationship with key community elements."[300]

It is probably not a coincidence (though it is certainly ironic, given the recent uproar over officer-involved shootings) that several community based organizations claimed better working relationships on gang issues with L.A.S.D. than with L.A.P.D.

There are significant differences in terms of gang crime between the communities served by L.A.S.D. and those served by L.A.P.D.: The L.A.P.D. serves the City of Los Angeles exclusively. The city includes 39.3% of the population of Los Angeles County, a proportion which has been relatively stable for some time. Like most urban centers, Los Angeles has been plagued with higher crime than many of the surrounding suburbs. Thus in every year since 1980, Los Angeles has accounted for a disproportionately high share of the county's gang homicides -- ranging from a low of 47.7% in 1990 to a high of 57.0% in 1986, with an average of just over 53% (see Table VI).[301]

The size of the Sheriff's jurisdiction depends on which cities within the county elect to contract with L.A.S.D. for police services. Currently the Sheriff serves 25.3% of L.A. County's population. Although the mix changes from time to time, that proportion is reasonably stable. Since 1980, the Sheriff's jurisdiction has usually had a share of gang homicides that is slightly below its share of the population -- ranging from a low of 18.0% in 1986 to a high of 28.3% in 1984, with an average of

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[300] Spergel, et. al, Op Cit., p. 187 -- discussion of an L.A. Times article critical of gang sweeps (April 17, 1988).

[301] Compiled from the annual reports issued by L.A.S.D. and L.A.P.D. on gang related crime.

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23-24% (see Table VI).[302]

The remaining portion of the county (35% of the population) is served by smaller, independent city police departments. Since 1980, these cities have accounted for a share of gang homicides that is disproportionately small -- just 23-24%, on average. There is an enormous range of ethnic and economic diversity among the smaller cities. In addition, emphasis on gang enforcement, and standards for reporting gang crime, can vary widely from department to department. Great caution should be used in comparing gang crime statistics from smaller cities to those for the two police agencies serving larger, more diverse populations.

Table VI

GANG-RELATED HOMICIDES IN L.A. COUNTY -- 1980-1991
(From L.A.P.D. and L.A.S.D. annual reports on gang crime)

YEAR	LASD #	LAPD #	OTH. #	TOTAL	LASD %	LAPD %	OTH %
1980	86	192	163	441	19.5	43.5	37.0
1981	64	167	125	356	18.0	46.9	35.1
1982	54	103	102	259	20.8	39.8	39.4
1983	57	123	92	272	21.0	45.2	33.8
1984	60	120	32	212	28.3	56.6	15.1
1985	68	150	53	271	25.1	55.3	19.6
1986	69	187	72	328	21.0	57.0	22.0
1987	79	205	103	387	20.4	53.0	26.6
1988	96	257	99	452	21.2	56.9	21.9
1989	116	303	140	559	20.8	54.2	25.0
1990	170	329	191	690	24.6	47.7	27.7
1991	207	375	189	771	26.8	48.6	24.5
TOTAL	1,126	2,511	1,361	4,998	22.5	50.2	27.2

Although the Sheriff's jurisdiction consistently has fewer gang homicides per capita than the City of Los Angeles, the picture is quite different for other gang-related crimes. The L.A.P.D. consistently reports fewer gang-related robberies per capita than the Sheriff's jurisdiction. Gang-related kidnapping

[302] Ibid.

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is a fairly infrequent crime, but it is much more prevalent in the Sheriff's jurisdiction than in Los Angeles. The same is true for shooting into occupied dwellings, a much more common crime. The rate of felony assaults is quite similar in both jurisdictions.[303]

There is no evidence that one department is more effective than the other at preventing gang crime: Comparing two law enforcement jurisdictions on the basis of population is a tricky business. Modest differences in ethnic composition and socio-economic status can make huge differences in gang crime rates. Based on gang-related crime statistics, it appears that the gang problems faced by L.A.S.D. and L.A.P.D. are comparable in scope and severity. The results obtained by the two departments also appear comparable, especially when the Sheriff's higher staffing ratio is factored into the equation. Apart from differing impacts on community relations, and preferences of academicians, there is no empirical evidence that one department's approach to gangs is superior to the other in terms of crime prevention and suppression.

One reason for this may be that the two departments are fairly similar in terms of regular day-to-day operations. In both L.A.S.D. and L.A.P.D., specialized gang details are quite small compared to the regular patrol force. So most routine contacts between gang members and the police involve regular uniformed personnel. While there are differences in training and style between the departments on this level, they are probably less pronounced than the differences between their gang units.

DIFFERENT ORGANIZATIONAL APPROACHES TO GANG ENFORCEMENT

L.A.S.D.'s gang operations are highly centralized; L.A.P.D.'s are widely dispersed. Along with style, the most frequently mentioned differences between the two departments are organizational. On paper, they do many of the same things with similar-sounding units that seem to be organized in similar ways. L.A.S.D. assigns its gang officers through Operation Safe Streets (O.S.S.), L.A.P.D. does so mainly through CRASH (Community Resources Against Street Hoodlums). In each case, the officers are assigned to the various geographic divisions. In each case they are backed up by specialized gang enforcement teams -- GET (Gang Enforcement Team) at L.A.S.D., and SEU (Special Enforcement

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[303] Ibid. -- In 1990, there were 51 gang-related kidnappings in Los Angeles and 66 in the much smaller Sheriff's jurisdiction. That same year, L.A.P.D. reported 128 incidents of shooting into occupied dwellings. The L.A.S.D.'s jurisdiction reported 666! Of course, it is possible that these differences could reflect varying degrees of effort devoted to reporting gang connections for crimes less dramatic than homicide.

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Unit) at L.A.P.D. Each department also has centralized gang administrative/support units and centralized data-collection and gang information operations.

The similarities are more apparent than real, however. In the Sheriff's Department, all specialized gang units report to the captain of O.S.S. In the L.A.P.D., CRASH units are totally decentralized -- essentially a part of the geographically-based chain of command.[303] In the main, CRASH officers are directly responsible to their area commanders, just like regular patrol units.

As any student of military-style organization can attest, differing command arrangements have enormous consequences. In theory, the L.A.P.D. command structure should achieve more effective coordination between local gang units and non-gang officers working the same territory. The L.A.S.D. structure should achieve more effective coordination and *esprit de corps* between gang units in all parts of the county. L.A.P.D. should be more adaptable at the area level. L.A.S.D. should have more effective central direction. As it happens, comments on the two agencies largely conform to expectations.

L.A.P.D. is perceived by outsiders to lack clear central authority and direction when it comes to gangs: As was pointed out earlier, differing practices at the various CRASH units have an impact on the quality of data collected for GTS and GREAT. The wide variety of personnel, command arrangements and styles can also frustrate prosecutors trying to work with the multiple CRASH units. Lawyers in both the District Attorney's Office and the L.A. City Attorney's Office mentioned how difficult it can be to work L.A.P.D. gang cases without a central point of contact. Misgivings were also voiced by groups that work with L.A.P.D. on gang policy -- including members of the Interagency Gang Task Force. Many feel that discussions with L.A.P.D.'s official gang representatives do not always translate into action in the field.

L.A.P.D. has had a centralized gang unit, called the Gang Information Section (GIS), within the Detective Support Division (DSD), of the Detective Services Group (DSG) of Operations-

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[303] CRASH was originally set up as a centralized operation within each of the L.A.P.D.'s four bureaus (Central, South, Valley, West). Only West Bureau retains that structure today -- though Valley Bureau retains centralized command over its de-centralized area units. The other two bureaus have split up their CRASH forces and assigned them directly to the area commanders (each bureau comprises four or five areas) -- though South Bureau maintains a central corps of gang detectives. In other words, no two bureaus have similar CRASH structures.

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Headquarters Bureau. The commander of DSG was designated the department's Gang Coordinator and worked with Area Gang Coordinators appointed by the Area Commanding Officers. Except for its small (27 officers on paper, many fewer in practice) Special Enforcement Unit, which could be detailed to work urgent gang problems anywhere in the city, DSD/GIS was perceived by outsiders to be primarily a statistical and informational unit. They believed real enforcement decisions were made locally.

This perception has been heightened by the results of L.A.P.D.'s current gang reorganization. The Department has disbanded DSD and dispersed its personnel to the field -- leaving a much smaller GIS in place to maintain the GTS files and to compile and disseminate statistics. There is no longer any central capacity to conduct field operations. Obviously, this further weakens the centralized gang function. Until now, key gang personnel at DSD/GIS had been given high marks for their cooperation in making the department's decentralized structure accessible to outsiders.

The new Los Angeles Chief of Police should consider the possibility of uniting gang operations under a single command: There are strengths and weaknesses to L.A.P.D.'s current arrangements for gang enforcement. Indeed, CRASH was once a much more centralized operation (at the Bureau level). The decision to decentralize was purposeful rather than haphazard and may still be the right one for the city. On the other hand, the issues raised by outside observers are legitimate and the department would benefit from a careful re-examination of the pros and cons.

This is an opportune time to consider the issue. L.A.P.D. is already going through an important series of internal changes as it implements the Christopher Commission recommendations. Chief Gates' imminent retirement will mean additional changes as a new chief reshapes command arrangements to meet new priorities. The city and the department would be well-served if the question of gang enforcement were placed on the agenda.

Organizational deficiencies at L.A.S.D. are perceived by outsiders to be less serious: Because of its centralized gang command structure, prosecutors and those working on gang policy generally find L.A.S.D. easier to deal with. O.S.S. operations are also more uniform in style and purpose from one part of the county to another. On the other hand, there is a sharper separation between O.S.S. officers and regular Sheriff's patrol officers than between CRASH officers and the L.A.P.D. rank and file. L.A.S.D. maintains that relations and communications between O.S.S. and the rest of the department are excellent. That may well be so. But several observers offered comments which raise doubts: that regular deputies and O.S.S. never talk to each other; that the good work of O.S.S. officers is sometimes

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undone by local deputies (and vice versa); that a promise of cooperation by O.S.S. can be ignored or countermanded by a local commander; etc. Overall, however, such misgivings were expressed less often, and less vociferously, than concerns about L.A.P.D.

L.A.P.D. has spread responsibility for some pieces of the gang problem to specialized units outside of CRASH and GIS: Perhaps because there is no strong centralized gang unit to guard its turf, L.A.P.D. has shown more of a tendency to respond to specialized gang problems with specialized gang units. In some cases, like gang-related narcotics, the strategy has not yet proven its value. In others, like Asian gangs, it has worked well. If the question of centralization vs. decentralization is revisited within L.A.P.D., this practice should also be reviewed.

-- GRATS: A recurring problem in gang enforcement is poor communications between gang officers and narcotics officers. Although outsiders have been anxious to explore the nexus between gangs and narcotics, the specialists in both fields have always been cool to the idea. Narcotics officers, especially, do not see street gangs as major players in their field and are not much interested in working with gang units. GRATS (Gang Related Active Trafficking System) was created in 1988, largely as a concession to the public and political focus on gangs and drugs. GRATS, which has no counterpart in the L.A.S.D., is a computerized system for tracking and locating gang-related narcotic activity, with the avowed purpose of reducing the flow of drugs among gang members. The program was housed with narcotics rather than with gangs and may yet turn out to be extremely useful (see the section below on targeting hardcore gang members, for example). Thus far, however, to the surprise of no one in either gangs or narcotics, GRATS has not proven to be a break-through operation.

-- ASIAN GANGS: L.A.P.D. also gives specialized treatment to Asian gangs. As mentioned elsewhere, Asian gangs pose a difficult problem for gang officers. Not only does it take all their energy just to keep up with L.A.'s burgeoning Black and Hispanic gangs, they are also ill-equipped, linguistically and culturally, to work Asian gangs. L.A.S.D. has not yet found an effective solution within their centralized gang unit.[305]

L.A.P.D., faced with similar problems, has chosen to handle

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[305] A small but telling example: Until fairly recently, three file cabinets of records on Asian gang members sat gathering dust because O.S.S. lacked the specialists to evaluate the records for entry into GREAT. The data entry problem has now been remedied; the shortage of expertise has not.

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them through specialized units. There used to be an Asian gang section in DSG, but it was absorbed into GIS, though the officers that had been specializing in Asian crime continue to do so. In addition, as of this year, Asian gang crimes in Central Bureau are being referred to the Asian Crime Investigation Section (ACIS), which is essentially an organized crime section. Since street gangs are often tightly connected to organized crime in Asian communities, the idea is to centralize information and expertise on all kinds of Asian crime in hopes of improving the department's performance in this area. While the department is far from content with its capabilities for working Asian gangs, it is perceived by others to be the local leader in this field.

TARGETING HARDCORE GANG MEMBERS:

The call for a strong focus on hardcore gang members is nearly universal among law enforcement professionals around the nation and here in Los Angeles County. Among those interviewed for this study, there was equally strong support from gang experts outside of law enforcement.

There is a clear consensus that young men who have progressed to the hardcore stage are essentially lost: These kids are gang-bound in their thinking and their relationships. Prevention and preaching from the outside are pointless, and chances of retrieving them from the gang are, for all practical purposes, nil. Some will eventually reach personal decisions to get out. In the meantime, however, society's only option is to focus on the worst offenders and get them off the streets. There is no such thing as a non-controversial idea in gang enforcement; but targeting the hardcore comes close.

Not everyone believes targeting hardcore members is effective: There are dissenting views, most of which have to do with the feasibility of identifying gang leaders and hardcore members. As noted elsewhere, the problem is not that gangs are secretive about their leadership structures; it's that such structures are basically non-existent.[306]

Nevertheless, most law enforcement experts are confident that hardcore gang members can be identified with a useful degree of accuracy. The key to success is to remember three things: first, the category of gang leadership/hardcore is, by nature, amorphous and imprecise; second, depending on the gang, it is likely to comprise a fairly large group of people rather than a tightly organized handful; and, third, no one should expect to totally wipe out gangs with such tactics.

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[306] Professors Klein and Maxson at U.S.C. are among those who express such doubts.

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A more systematic focus on leaders/shooters/hardcore could improve the effectiveness of anti-gang efforts in L.A. County: Gang experts point out that, while true "leaders" may be an almost mythical species, gangs do tend to have a limited number of "shooters" as well as a modest core of more active criminals (not necessarily the same people). Removing these individuals from the community may not destroy the gang, but it can certainly help cut violence and crime. In addition to taking out the gang members most likely to initiate (and sustain) shooting wars, targeting the hardcore can weaken the gang's internal cohesion and temporarily disrupt the orderly flow of drugs and weapons.

Among others, the City of Oxnard has had great success with a combination of programs that focus enforcement efforts on a fairly sizable group of hardcore gang members -- and on aggressively seeking out a much smaller number of youthful serious habitual offenders (SHO's). Implementing such a policy in Los Angeles County would obviously be a much tougher proposition than in Oxnard. Nevertheless, bits and pieces of a similar program are already in place. Now that the process of creating and building computerized gang databases is nearly complete, the time is right for tying resources together to intensify a county-wide hardcore strategy that is proactive rather than reactive.

Hardcore targeting is more praised than practiced in L.A. County: All the major law enforcement agencies in Los Angeles are theoretically in favor of a targeted hardcore approach. In practice, however, most fall well short of the mark through no fault of their own. Individual officers and units try to focus on the most serious offenders within their purview but their judgements are necessarily haphazard and subjective. In the main, the burden of reacting to a huge volume of crimes works against a strictly targeted approach. That is the reason the D.A.'s Hardcore Prosecutions Division has increasingly become a gang homicide unit. It is also the reason a pre-computer L.A.P.D. program to identify the core members of every gang in the city was abandoned long ago.

Under intense pressure, an operational definition of "worst offender" takes precedence over a theoretical one: Thus the gang member who is accessory to a murder is a worse offender than the one who commits a minor assault -- even when the lesser crime has been committed by the bigger criminal. This priority system is perfectly natural and appropriate. But a truly targeted strategy also seeks to take advantage of the lesser crime to get the hardcore gang member behind bars before he commits a bigger crime (or, more likely, a whole string of them).

The gang databases as currently maintained are not very useful for targeting the hardcore: The extraordinary number of persons in the combined GREAT/GTS databases (125-130,000) raises

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questions about the validity and usefulness of the definitions on which they are built. As detailed elsewhere, most gang experts -- including those in law enforcement -- believe that only a small fraction of young men are involved with gang activity (11% is an oft-cited figure for L.A. County),[307] and that an equally small fraction of those who nominally belong are truly hardcore (perhaps 10-15%). Thus a common estimate is that no more than 2% of all young men are hardcore gang members.

Yet GREAT/GTS paints a very different picture. At its age-peak, the database is five times bigger than expected. It seems likely that the police agencies are collecting data on the whole range of gang associates and hangers-on rather than on true hardcore members -- indeed the proportion of young men on file (9-10% at the peak) fits very comfortably within the predicted range (11%) for <u>total</u> gang involvement.

There is nothing inherently wrong with such an expanded database. Having a complete listing of a suspect's friends and associates is extremely valuable in conducting investigations. What's more, there is something to be said for reaching out to include those gang members who are not yet truly hardcore -- younger kids looking to build a "rep" and move up the status chain may be the most dangerous gang members around. The problem is not that gang associates and other gradations of the gang culture are in the file. The problem is that police and prosecutors cannot distinguish the truly hardcore gang members within this undifferentiated mass of people.

The GREAT/GTS databases should be augmented to facilitate the identification and tracking of hardcore gang members: What was unworkable with L.A.P.D. paper files a decade ago -- identifying hardcore gang members and keeping track of them -- is eminently practical in the age of computers. Ideally, this additional data would be compiled within a single, united database; but if institutional politics do not permit a fully unified system, it should be done concurrently in both GREAT and GTS.

In either event, the key is for gang experts in L.A.P.D. and L.A.S.D. (and other jurisdictions as well, including prosecutors) to agree on a legally defensible protocol for identifying hardcore gang members. Several different approaches could be used alone or in combination:

-- an automatic selection, with a computer-search directed by an agreed-upon set of gang/individual parameters;

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[307] Among others, Natalie Salazar, Director of the Community Reclamation Project, uses the 11% figure.

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-- a field evaluation, with each O.S.S. or CRASH unit responsible for identifying the hardcore members of gangs operating in their areas, perhaps with assistance from probation officers and prosecutors;

-- input from local and federal narcotics specialists (GRATS could be very helpful here) on gang members heavily involved with drug trafficking;

-- using a serious habitual offender (SHO) profile to ensure that SHO's are in the targeted class along with leaders and shooters;

-- and limiting the classification to a fixed proportion of the file (perhaps no more than 10-15%) to ensure that the hardcore concept remains focussed over time.

In terms of the biggest payoff for the least expense, this is the single most important step that L.A. County/City can take to improve gang enforcement: It is the key to more effective use of resources in every agency -- and a strong inducement to more effective coordination between agencies.

Serendipitously, this is a convenient moment for making such a change: Later this year the GREAT database is due for its first five-year purge (to be conducted annually henceforth). In the process, L.A.S.D. plans not only to search its files electronically for dead wood, but also to send lists of gang members out to the field for reevaluation. L.A.P.D. goes through a similar exercise each year when GTS is purged. Adding the chore of identifying hardcore gang members to the purge process will not be trivial, but it is probably the least disruptive opportunity for doing so.

Gang investigators and prosecutors should join forces to ensure that every crime committed by targeted hardcore gang members receives special attention and results in a maximum sentence: By itself, segmenting a computer file will not put one extra gang member behind bars. But it will permit specialized gang units to focus their efforts more effectively. With as many as 130,000 potential suspects involved in nearly 20,000 violent felonies each year, the best that police and prosecutors can do is tread water. If the target were narrowed to no more than 20,000 hardcore gang members (who are probably committing the bulk of the serious offenses anyway, and inciting others), there would be room for policy makers to be more creative in making efficient use of scarce investigative and prosecutorial resources.

A more manageable target should enable the agencies involved to devise a unified strategy for special attention to all hardcore cases. Whenever a hardcore gang member turns up in the daily churn of arrests, the name should set off alarm bells and

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should be immediately separated from the thousands of routine cases for special treatment. The goal should be to ensure that every such opportunity -- every crime committed by a hardcore gang member, no matter how minor -- results in the maximum possible jail or prison sentence. Lesser sanctions, if desirable and available, should be limited to gang members outside the target group. To the extent that space for gang members in correctional facilities is limited, the hardcore deserve first priority.

JOINING FORCES WITH FEDERAL LAW ENFORCEMENT

Until quite recently, street gangs have not really been a federal priority. Gangs have been analyzed as an emerging organized crime problem -- especially within the context of narcotics enforcement. They have also been used to good rhetorical advantage by federal officials. But the real work of dealing with gangs has been left to the locals. In the main, that is still so and will continue to be so. There are, however, some new developments.

A modest array of additional federal resources is becoming available for gang enforcement: Some of the federal government's traditional law enforcement work -- breaking up the Mafia, counterespionage against Soviet Bloc agents, etc. -- has begun to decline in volume, permitting some reallocation of resources. The U.S. Department of Justice has indicated that it plans to make these resources -- primarily federal investigators and prosecutors -- available to combat street gang violence in the nation's major urban centers.

That shift in policy is already evident in Los Angeles County. Prosecutors from the U.S. Attorney's Office, and investigators from the Bureau of Alcohol, Tobacco and Firearms, are now working with the District Attorney's Office to take over responsibility for cases that qualify for prosecution in federal court under the Armed Career Criminal Act (ACCA). Meanwhile, as part of a national redeployment of some 300 agents, 22-25 additional F.B.I. agents have been assigned to Los Angeles to work gangs. Local F.B.I. officials have solicited suggestions from local officials on how best to use these agents.[308]

In the context of L.A. County's enormous need -- and the significant local forces already deployed to deal with gang problems -- the new federal resources are quite modest. To be of significant value, they must be used cooperatively to strengthen the much larger local effort. Unfortunately, the history of cooperation in this field is not encouraging.

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[308] Luis Zaragosa, "Local Cities Discuss Anti-Gang Measures," Star-News, January 23, 1992; p. A-2

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There are institutional barriers to effective federal/local gang investigations: Federal/local tensions in law enforcement are legendary and, like all legends, they have some basis in fact. Rivalry, jealousy, professional stereotypes, differing priorities and requirements for accountability all can make for difficult working relationships. In gang enforcement, these natural tensions are exacerbated by substantive problems.

By and large, federal investigators have little training or experience with Los Angeles street gangs. Their professional backgrounds tend to be in organized crime and/or narcotics. The mindset required for such investigations -- which often involve working slowly up the chain to leaders at the top -- can be counterproductive in gang enforcement. In addition, federal tactics frequently used against drug dealers and organized crime families -- like wiretapping and infiltration -- tend to be less useful against street gangs. Even in those instances where undercover gang work is possible and useful, reassigned F.B.I. agents are not usually well-suited to the task by age, ethnicity or experience.

Federal investigative priorities tend to focus on the nexus between gangs and drugs: There is one area in which federal investigators have a good deal of relevant experience: narcotics. As older (often retired or semi-retired) L.A. gang members branch off into interstate drug trafficking, they come in contact with the F.B.I. and the D.E.A. -- as witness the recent seizure of a good-sized drug ring run by current and former L.A. Crips. Because of this experience, federal agents tend to see the nexus between gangs and narcotics as the key to both problems. They also see joint operations between gang units (or organized crime units) and narcotics units as both natural and inevitable.

Local authorities, by contrast, often see little meaningful connection between gangs and narcotics: In part this is because they tend to deal with different populations. Active gangbangers shooting up the streets tend to be younger men who are light-weights at best when it comes to drug trafficking. The older gang members who become mid-level drug dealers are not the kingpins of the drug trade, and they tend to have moved out of heavy duty gangbanging in favor of making money. Thus gang specialists have good reasons for viewing narcotics as a sideshow to the main problem and vice-versa. Their mutual lack of interest in joint operations, and the almost non-existent level of communications between them, is extremely frustrating for federal agents.

Federal prosecutors, though inexperienced with gangs, bring access to speedier federal courts and higher federal sentences: Turning to prosecution issues, federal prosecutors also lack experience with street gangs. On the other hand, they have access to the federal courts -- which are generally faster than

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state courts -- and to the federal corrections system. Federal law makes it easier to deny bail in many cases. Federal penalties are usually much stiffer than state penalties for similar crimes, a tendency that was bolstered by passage of the federal Minimum Mandatory Sentencing law several years ago. Best of all, from a California perspective, federal sentences must be served in full -- without probation or parole. The least that can be served on a ten-year federal sentence is ten years.[309] Under state law, a ten-year sentence typically means five years or less behind bars.

The downside of federal prosecution is that the carrying capacity of the federal system is very small compared to local needs. California alone has almost twice as many prison beds as the entire federal system -- not to mention far more judges and courtrooms available for local cases. A single week's worth of cases from the L.A.D.A.'s office could overwhelm the federal system for months.

Local and federal law enforcement should join forces to target the worst 10% of hardcore gang offenders in L.A. County -- the core of the hardcore -- for pro-active investigation and prosecution: Given their limited numbers, specialized backgrounds and access to some valuable tools, it would be foolish to squander federal reinforcements in a scattered, duplicative attack on the gang problem. Left to their own devices, federal efforts will probably drift toward the areas they know best: like interstate drug trafficking by members of L.A. gangs. While such investigations are valuable, they may duplicate D.E.A. and local narcotics squad efforts and they represent lost opportunities for attacking street gang violence closer to home. This community would be better served if joint federal/local efforts were focussed on a clearly-defined target group of gang offenders in Los Angeles County -- with special emphasis on narcotics and armed violence.

The F.B.I., the U.S. Attorney's Office and the District Attorney's Office should join with the L.A.P.D. and the L.A.S.D. to develop a revolving target list of the worst 10% of hardcore gang offenders currently active in L.A. County -- the core of the hardcore. The target list, which would probably include around 2,000 gang members at any one time, would be distilled by local gang and narcotics experts from the GREAT/GTS hardcore files, the GRATS database, and a profile of youthful serious habitual offenders (SHO's). Criminal histories would be checked for prior arrests and convictions. Those targeted gang members with high exposure under federal narcotics law, or the Armed Career Criminal Act, would be assigned to federal teams of investigators

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[309] Interview with Jim Walsh, U.S. Attorney's Office; August, 1991.

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and prosecutors. Those with low exposure would be assigned to local teams. Some cases, perhaps many, could be worked jointly.

The goal of this effort should be to actively pursue the worst gang offenders and to take full advantage of state and federal laws to put them behind bars for as long as possible. Each time a gang member is removed from the active list (by imprisonment, death, departure from the area, or retirement from gang activity) he would be replaced with a new candidate for pro-active investigation.

A side benefit of building a target list would be a degree of enforced communication between local gang and narcotics units. The lack of cooperation between these fields was frequently remarked on in our interviews. Even though gangs and drugs are separate problems, they often intersect in important ways. There is clearly a need for some level of regular communication that will not needlessly entangle or disrupt either side. Focussing on the worst offenders can open a channel that may, in time, lead to other useful collaborations. It will certainly go a long way toward easing the frustrations, and maximizing the usefulness, of federal investigators and prosecutors who wish to focus on the gang/drug connection in a productive way.

The District Attorney and/or the Sheriff and the L.A. Police Chief should take the initiative by responding to the F.B.I.'s request for suggestions on effective use of its new personnel -- and by asking the U.S. Attorney to join the effort: L.A. County's top law enforcement officials must take the lead in making this program work. Putting inter-jurisdictional, local/federal efforts together is a time-consuming process with many natural enemies in the bureaucracy. It never moves without the sustained public support of the principals at each agency.

This project is potentially so valuable to L.A. County that it should be implemented locally even if federal law enforcement declines to be involved. However, every effort should be made to build a united team. It takes lots of time, money and people to actively investigate criminals instead of waiting for them to turn up in the normal course of police business. By combining local and federal efforts, and focussing on a small and tightly-defined target group, Los Angeles can use its limited resources to fullest advantage in the fight against gang violence.

FOCUSSING ENFORCEMENT EFFORTS ON INDIVIDUAL GANG MEMBERS

There is a major difference between law enforcement targeting of individual gang members and the targeting of whole gangs. The point of Klein and Maxson's speculations about the effect of confrontation tactics on internal cohesion is that anyone hoping to weaken gangs should avoid playing into, and reinforcing, the unifying tenets of gang life. Chief among these

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is the primacy of the group.

Strategies which focus on individual accountability hold great promise for combatting gang violence: There is a reason that the gang sub-culture is strongest among those who feel least powerful as individuals. The whole point of a gang is to give strength to its members by associating them with "...something that is powerful. Is mysterious. Is deadly." The anonymity, support and power to be found within the group are key elements of gang psychology. That is why gang members, in submerging themselves within a group identity, consciously pull away from all outside authority which demands that they be individually accountable -- parents, school, religion, etc.

Law enforcement and prevention strategies should take the group vs. individual dynamic into account. While it is impossible and even counterproductive to rigidly avoid dealing with gangs as group entities, the focus should be on restoring individual accountability wherever possible. One of the attractive features of community based policing is that its emphasis on police officers knowing the individuals on their beats should work to undermine the anonymity of gang membership. In the last few years, prosecutors and police have begun to experience great success using programs based on this principle.

Use of the Street Terrorism Enforcement Program (STEP) has produced a remarkable deterrent effect: The STEP Act was drafted and sponsored by the District Attorney in 1988 with wide support from county law enforcement. As drafted, its goal was to increase penalties for gang-related offenses and to give police and prosecutors substantially greater latitude in dealing with criminal street gangs. The bill was modified considerably in the legislative process and there was some concern that its original purposes might not be achieved under the version that finally became law. In practice, however, there has been an even stronger deterrent effect than STEP proponents anticipated.

Although not required by law, the District Attorney has urged law enforcement officers to serve personal notices on all gang members eligible for enhanced sentences under the STEP Act. This procedure establishes, for trial purposes, that a gang member is aware of his gang's illegal activities and its legal status as a criminal street gang. As it turns out, the notice process itself -- whereby a police officer delivers the notice, ensures that the gang member has read and understood it, and secures the gang member's signature -- serves as a powerful deterrent. That is because the process delivers a chilling message of individual responsibility for group actions.

Receiving a STEP notice says, in effect: "Forget being anonymous. The police know who you are, they know where you

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live, they know what you've been up to and they are watching you. You will be held personally accountable for anything that goes down." Not surprisingly, gang members who get that message tend to lay low for a while. After L.A.P.D. served STEP notices in the Harbor Area there was a 49% drop in gang-related crime from 1989 to 1990. The Jordan Downs Housing Project experienced a 50% drop in gang-related crime after notices were served in December of 1989. In both cases, the notices were accompanied by other anti-gang measures (including targeted policing, the Community Reclamation Project and the L.A. City Attorney's Gang Civil Abatement program, which involves a similar notice process), but it is quite clear that the individual notices have a powerful effect.

In San Fernando, a STEP-like process has been used to keep warring gangs out of a park: The situation in San Fernando has been so widely publicized that it needs only the briefest of sketches here. Two warring gangs -- both Latino; one old, large and assimilated; the other new, small and composed of recent immigrants -- claimed Las Palmas park as their turf and had turned it into a free-fire zone. After a mother and three children were caught in a cross-fire, the City asked the District Attorney for help in drafting an ordinance to keep the gangs out of the park. The ordinance, which imposes a fine of $250 on any criminal street gang member who enters the park, is currently under legal challenge by the ACLU on grounds that it violates the rights of gang members.

While the constitutionality of the ordinance is under attack, not even the ACLU has challenged its effectiveness in keeping gang warfare out of the park.[310] In the first four months of enforcement there have been no further violent incidents and the park, which had been all but abandoned by the public, is now heavily used by local residents. The key to this outcome has been effective use of hardcore targeting and a STEP-like process of individual notice. Between them, the rival gangs have nearly 1,000 members, but the San Fernando police served notices to a much smaller group of less than 100 hardcore members.[311] So powerful has been the deterrent effect that

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[310] The ACLU has asserted, on no credible evidence, that violence has simply been displaced to other locations. Even if that were true, however, it is irrelevant to the purpose of the ordinance, which was to make the park safe again.

[311] There was a big difference in the proportion of each gang's membership that was served. Gangs of new immigrants tend to be much smaller than the older, more assimilated gangs. They survive and flourish in unequal confrontations like this one through superior levels of ferocity. Thus a gang of 50 trying to stake out new turf typically has a much higher concentration of

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officers have not had to do much else by way of enforcement -- just three citations have been issued in six months.

STEP still has problems that must be worked out, but prosecutors and police should expand its use and continue to experiment with other enforcement mechanisms emphasizing personal responsibility: STEP is no magic bullet; at least, not yet. For one thing, it is labor intensive -- as is the Civil Abatement Program. Finding and serving hundreds of gang members can tie up even large gang units for weeks. This breeds resistance and leads to a quest for shortcuts -- like serving the notices only to those already in custody.

It is also unclear how long the deterrent effect lasts. Best guess at the moment is six months to a year, with no certainty that the process can be repeated with equally good results in the same neighborhood. On the other hand, it may turn out that the deterrent value can be extended indefinitely through diligent police work that refreshes and reinforces the message of personal accountability.

Even if the effect turns out to be relatively short-lived, it can offer breathing space for regular law enforcement, community mobilization and other anti-gang efforts to take hold. On balance, experience with STEP -- and, to a lesser extend, with the Civil Abatement program -- has been so positive that wider use and additional experiments are clearly warranted.

PROBATION RESPONSES TO GANGS

Probation's potential for detaching people from gangs has been thoroughly explored in Los Angeles County: Few programs offer a stronger focus on individual accountability than probation, and local practitioners have long been alive to its potential for gang enforcement. The various options for using probation to intervene effectively with gang members have been pursued more aggressively in California than anywhere else in the nation, and Los Angeles County has clearly been the leader within California:

> "Only California appears to have addressed the problem systematically over a sustained period of time, at least in Los Angeles County....California has probably inaugurated and developed more pioneering probation and parole efforts directed to the youth gang problem than all other states combined since World War II."[312]

"shooters" in the ranks than its larger, less aggressive rival.

[312] Spergel, et. al., Op. Cit., p. 218

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The L.A. County Probation Department first got active in gang work more than 40 years ago, with a philosophy that was eventually dropped after proving counterproductive. That episode will be touched on in a later chapter. For current purposes, however, probation's involvement with gang dates from 1980 when the Board of Supervisors established the Specialized Gang Supervision Program. The program consists of six units, each of which supervises a maximum of 400 probationers. Probation officers assigned to this duty are given much lighter caseloads than normal -- 50-60 vs. 150-300.[313]

Probation also operates several smaller programs on an as-funded basis. It has a small Intensively Supervised Probation (ISP) program which focusses on the hardest of hardcore offenders. OCJP has funded a Gang/Drug Pusher program to investigate the links between drugs and gangs. The School Crime Suppression Program assigns deputy probation officers to those campuses willing to split the cost. In addition to supervising probationers attending the school, the deputies work to prevent truancy and student crime. This program, which currently involves roughly 30 schools, has tremendous potential for helping keep marginal youngsters on track and out of gangs.

Probation is caught between two missions: Prevention and, to a lesser extent, rehabilitation were the classic goals of probation. Dealing, in theory, only with that class of convicted criminals who had been judged good risks, probation was envisioned as a program of personal supervision that would keep the convict out of trouble during his sentence and, with luck, help him turn his life around. Success was difficult to measure but, given reasonable resources, this was a mission the system could perform. Unfortunately, in the post-Proposition 13 era it has not been a mission that county government is willing or able to fund.

Instead, probation has been asked to provide a low-cost alternative to incarceration for a larger and much higher-risk group of criminals that society would really prefer to lock up if only it had the space. Government is willing to fund this mission of correctional control -- surveillance, close supervision and enforcement of court orders -- albeit at a low level. Unfortunately, it is a mission that probation cannot really perform without extraordinary resources -- and failure is easily measured.

The result is an under funded department struggling with caseloads that make a mockery of the word "supervision." Probation is constantly under fire for failing to do what no one

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[313] Interview with Barry Nidorf, Chief Probation Officer, and Mike Duran, Director, Specialized Gang Supervision Program.

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can do -- prevent serious criminals on the loose from committing new crimes; and chronically unable to attempt what it might be able to do -- help marginal kids who've gotten in trouble to straighten out and pull back from gang life.[314]

Probation has responded by focussing its efforts on high-risk offenders and pulling back from close supervision of adults: At any given moment, the L.A. County Probation Department is supervising more people on probation than the entire state of California supervises on parole -- more than 100,000 people; two-thirds of them convicted felons; including at least 10,000 gang members. Weighed against such numbers, the 2,000-2,500 slots available in Specialized Gang Supervision (SGSP) offer a minimal response. Faced with a severe conflict in mission, soaring caseloads, and a client population that includes more high-risk criminals with each passing year, probation has had to make some choices about where to put its emphasis. It is the perception of those outside that the department has chosen to abandon close supervision of adults. With the exception of ISP, the kind of supervision that once was synonymous with quality probation work is now reserved mostly for juveniles.

This perception was confirmed by a 1987 progress report on SGSP which found that juveniles were 70% of the unit's caseload and that many of these were marginal youth, not involved in violent activities. Not only did the report raise fears of "creaming," it was a reminder that SGSP is not structured to provide much by way of counseling or services for marginal youth. Indeed, few remnants of that approach remain in today's probation department. Instead, SGSP provides close supervision under reasonable caseloads, which is a very rare commodity -- far too precious, as the report recognized, to be wasted on marginal, non-violent youth.[315] By Probation's account, SGSP has successfully shifted its focus to more violent offenders over the last five years. Even so, about two-thirds of its clients continue to be juveniles.

Probation's range of responses should be coordinated with a county-wide focus on hardcore gang members: The Probation Department already attempts to make the best use of its limited gang resources by focussing on the hardcore. But that effort would be greatly strengthened by segmenting the GREAT/GTS files to identify and track hardcore gang members, and by working with

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[314] In 1988, the Probation Department persuaded the Board of Supervisors to let it back into prevention in a small way. The result was GAPP (Gang Alternative and Prevention Program), which will be discussed later.

[315] "Specialized Gang Supervision Program (SGSP) Progress Report," L.A. County Probation Department

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federal authorities to target the worst 10% of that file.

1) Those gang members on the target list of worst offenders -- the core of the hard core -- should be targeted for arrest and conviction under statutes which guarantee the longest possible prison sentences. Very few should ever end up on probation. Those who do should be placed on ISP to maximize the chances of detecting violations which could warrant incarceration.[316]

2) Hardcore gang members not on the target list should also be targeted for maximum time in jail or prison rather than probation. Even so, many in this group will inevitably spend time on probation. They are the natural candidates for SGSP (indeed, this is the group which SGSP currently tries to cover). Close supervision is unlikely to turn many lives around among this group, but it may prevent a measure of additional crime. Once again, there should be a strong focus on detecting violations which could warrant incarceration.

3) To the degree that jail and prison space is limited, peripheral gang members who have committed crimes should be given preference for probation over hardcore members. Any spare capacity within SGSP should be used to handle adult gang members in this category who are no longer attending school.

4) **The School Crime Suppression Program seems perfectly tailored for peripheral gang members and "wannabes" who have committed crimes but are still in school. It should be evaluated and expanded to handle as many gang probationers as possible.** This program has many ardent fans who assert that it not only produces tremendous results but also delivers important side benefits --- including ADA savings for participating schools through truancy prevention. If evaluation bears out these claims, the Board of Supervisors and local city councils should assist in persuading educators to take part. Elected officials should also intervene to resolve Probation's impasse with L.A.U.S.D.

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[316] ISP was originally intended to operate with maximum caseloads of 35. But relentless pressure has pushed the average to around 50. This tends to blur the distinction between ISP and SGSP, which was intended to have maximum caseloads of 50 but has been pushed up around 60. Currently, gang members who show up as candidates for ISP are redirected to SGSP, since the level of supervision is not appreciably different. Once the targeting of worst offenders is operational, that policy should be revised so the core of the hardcore (few of whom should be on probation) can be subject to the tightest level of supervision available.

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over funding, which not only limits expansion but also threatens cutbacks at existing sites.

Ultimately, the Probation Department's goal should be to implement SCSP in every junior and senior high school in L.A. County with a gang problem and a large enough population of probationers to justify it. Some schools and school districts will resist for budgetary reasons, a few may fear the taint of having a probation officer on campus, and some will simply prefer to see gang members leave school. These are extremely short-sighted objections in light of the tremendous good that could be done by keeping marginal kids in school, out of gangs and out of trouble.

5) A logical companion to SCRP is Probation's Gang Activity Prevention Program which focusses on peripheral and potential gang members who have not yet gotten into serious trouble. This pilot effort by Probation to return to the field of prevention is well-conceived but should be examined and funded within the construct of a county-wide continuum of prevention programs, as outlined in the chapter on prevention.

PROSECUTION RESPONSES TO GANGS

The search for effective law enforcement strategies has led local prosecutors into a wide range of valuable programs which might be described as peripheral to the central mission of convicting criminals in court. A good example is the widely admired Special Emphasis Program, run by the District Attorney's Victim Witness Program, which provides special assistance to minority victims of gang violence. The focus here, however, will be on programs to improve gang prosecution.

The District Attorney's Hardcore Division has won high marks for effective gang prosecution: In 1980, at the peak of the worst prior era of gang violence, the L.A.D.A.'s office created the Hardcore Gang Division to handle gang cases. Since that time, Hardcore has become the nation's highest-volume vertical prosecutor of gang crimes and an influential model for effective vertical prosecution of gang cases nationwide. The division has developed a powerful set of vertical prosecution tools that include techniques for: case filing, coordination with trained gang investigators, using police officers as expert witnesses, choosing and educating a jury, widening the scope of search warrants, protecting witnesses, countering court room intimidation by gang members, handling recalcitrant witnesses and informants, setting bail, and establishing that gang members can be held accountable for group actions. So successful have these techniques been, that most national studies of the gang problem

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make reference to Hardcore, often at extraordinary length.[317]

An independent evaluation of the program's first two years found that Hardcore improved the conviction rate in gang homicides from 71% to 95% while also improving incarceration rates.[318] Since that time, Hardcore has consistently maintained conviction rates well into the 90's, despite an overwhelming increase in its caseload.

In interviews with local gang experts we found that Hardcore is also viewed positively by those who see it in action locally. Surprisingly few critical comments were heard -- even considering that respondents were talking to representatives of the District Attorney's Office. The only significant negatives voiced had more to do with the division's successes than its failures. For instance, it was suggested that the Hardcore does not get the maximum deterrent value out of its high conviction rate and should publicize gang convictions more widely.[319] Similarly, the most consistent suggestion by far was that Hardcore should resume handling a broader range of cases.

Hardcore, which was originally intended to deal with all serious cases of gang violence, has become a *de facto* homicide unit: Over the last decade, Hardcore has seen its potential caseload soar to levels that cannot possibly be handled by 46 prosecutors. As detailed elsewhere, some of the increased caseload growth has been artificial. Superior, computer-assisted identification of suspects and victims as gang members may have moved a few homicides into the gang column that once would have been tried by other units. However, there has also been a real increase in the

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[317] For example, Spergel et. al., in their massive survey of Youth Gangs: Problem and Response, devote their entire section on gang prosecution to extended excerpts from Vol. X of the California District Attorneys Association's Prosecutor's Notebook. The article, "Prosecuting Gang Homicides," was co-authored by Michael Genelin, head of the Hardcore Unit, and laid out in detail the policies which have been developed in Hardcore over the past dozen years.

[318] Judith S. Dahmann, An Evaluation on Operation Hardcore: A Prosecutorial Response to Violent Gang Criminality, Alexandria, Virginia; Mitre Corporation; September, 1983

[319] This criticism came from Klein and Maxson at U.S.C. In point of fact, the D.A.'s Public Affairs office began a very successful poster campaign in 1990 to publicize gang convictions. Similar to old-fashioned "wanted" posters, these "convicted" posters are distributed in schools and other venues in the neighborhoods where the convicted felons' crimes were committed.

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underlying trend of gang violence and the combination has inundated Hardcore. As the pressure has built, the division has been forced to focus on an ever-more restricted target group of only the most serious crimes.

By 1990, when gang murders in the county leaped from 559 to 690 in a single year, homicides accounted for more than 80% of the Hardcore caseload. In 1991, gang homicides hit 771 for the year, well over 37% of all homicides in the county and virtually 100% of the Hardcore caseload.[319] As 1992 approached, Hardcore was staggering under a backlog of murders and its Central Branch had to temporarily stop accepting new cases, including homicides. No cases went unprosecuted, but it was only the second time in more than a decade that any gang-related murder had been assigned for prosecution outside of Hardcore.

The great majority of gang cases must be prosecuted without benefit of Hardcore's specialized, vertical handling: Vertical prosecution of gang cases is effective, but it is also time-consuming and expensive -- especially in gang homicide cases. Even if gang murders had not skyrocketed in recent years, Hardcore would still be unable to handle more than a fraction of all gang cases. Last year, for example, while Hardcore was struggling to handle the record rash of gang murders, approximately 19,000 additional violent felonies were committed by L.A. gang members. Other California jurisdictions face similar problems. In fiscal year 1986-87, 71,000 gang members were arrested in California counties with vertical prosecution units. Yet only 546 gang defendants were vertically prosecuted.[320] Quite clearly, vertical prosecution units must be highly selective. The key question is: What should be the criteria for case selection?

Hardcore's effectiveness has been diminished by the enforced concentration on homicides: Those offering this critique did so wistfully, basically yearning for an earlier era when they had a better chance of enlisting Hardcore's help with important non-homicide cases.

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[319] Not all homicides are presented to the D.A.'s office for filing. Some cases are never solved by the police. In others, the investigating officers know the perpetrators but lack proof. On average, about half of all gang homicides arrive in Hardcore's in-box.

[320] Obviously, the bulk of the arrests and prosecutions were from L.A. County. California Office of Criminal Justice Planning, "California Gang Violence Suppression Program. Program Guidelines," Sacramento, 1987. Cited in Spergel, et. al., Op. Cit.

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For example, Hardcore now has little contact with the L.A. City Attorney's gang unit. Because the City Attorney deals primarily with misdemeanors, while Hardcore has to concentrate on homicides, consultation between the two offices is less frequent than when Hardcore could work a broader range of cases. Misdemeanors are clearly far less significant than felonies, but they sometimes provide the only opportunity to take hardcore gang members off the streets. Ideally, the most significant misdemeanor cases involving hardcore gang members should be evaluated by deputy D.A.'s with experience and training in gang prosecution.

The huge homicide caseload has also forced Hardcore prosecutors to eliminate the time they used to spend with police and sheriff's gang officers in the field -- either working cases, attending training sessions, or offering advice on improved investigative techniques for more successful prosecution. The loss of this informal contact is a negative for both sides and hurts performance.

Enough additional prosecutors should be assigned to Hardcore to permit the division to perform three basic missions: Even though Hardcore has expanded in recent years, still more resources are needed if the original intent of the program is to be fulfilled in vastly more demanding times. The District Attorney has asked the Board of Supervisors for 25 additional prosecutors. The goal is to staff Hardcore Division adequately to perform three basic missions:

-- Continued prosecution of all cases of gang-related homicide. Focussing on these cases is essential in order to maintain the current high conviction rate for gang murders.

-- Prosecution of all non-federal felony cases developed from the joint target list of worst gang offenders. As outlined above, the purpose of the joint target list should be pro-active investigation and prosecution of the hardest of hardcore gang members. In order to track all cases involving these individuals, Hardcore should maintain a file of the joint target list and all supporting information within its existing computerized system for tracking gang prosecutions.

Some cases involving target list offenders would be turned over to federal prosecutors. Some might be assigned to the gang prosecutions unit within the L.A. City Attorney's Office -- for instance, when only misdemeanor charges can be filed. The bulk of the cases, however, should be subject to vertical prosecution by Hardcore lawyers. Hardcore should also be staffed to consult with prosecutors from the other offices and to provide assistance as needed to those federal lawyers that may lack experience with gang cases.

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-- Providing regular training and technical assistance to all investigators and prosecutors handling cases involving hardcore gang members. Once the combined L.A.S.D./L.A.P.D gang databases are reconfigured to identify hardcore gang members, as recommended above, Hardcore must help ensure that all personnel handling such cases are fully prepared to prosecute and to win maximum sentences. Non-specialists assigned to gang cases should receive training and technical assistance on a regular basis from Hardcore deputies.

It is possible that a Hardcore Division staffed to perform these basic missions might conceivably have some spare capacity in the years ahead -- if, for example, there should be a cyclical decline in the number of gang-related murders. In that happy event, Hardcore could add another mission: To prosecute violent felonies committed by hardcore gang members not on the joint target list -- a charge reminiscent of the division's origins.

In addition to the Hardcore Division, the District Attorney's Office has improved prosecution of gang cases by forbidding plea-bargains: Two years ago, recognizing that not even an expanded Hardcore Division could cope with the rising tide of gang violence, the District Attorney issued L.A.D.A. Policy 89-3, which ordered prosecutors -- in all divisions, not just Hardcore -- to identify all cases involving members of criminal street gangs and to seek the maximum possible sentence in every such case. In the first 18 months of that no-plea-bargain policy, deputy D.A.'s filed more than 2,000 felony cases against gang members.

That policy has now been superseded, in some respects, by L.A.D.A. Policy 91-3 (issued in November of 1991), which forbids plea bargaining in all felony cases involving weapons and/or violence -- whether or not they involve gang members. Given the much broader application of the new policy, and the extraordinary number of individuals currently on file in this county as gang members, the District Attorney's office believes this is a critical juncture for gang prosecutions in L.A. County. The joint law enforcement actions outlined in this report will help refocus and strengthen the entire anti-gang effort.

The District Attorney's Office proposes additional steps to ensure that all cases involving hardcore gang members receive specialized handling: Reconfiguration of the combined L.A.S.D./L.A.P.D. gang databases would provide prosecutors with the opportunity for a new, more effective focus: Targeting all cases involving hardcore gang members for specialized investigation and prosecution.

After arresting officers had flagged cases involving hardcore gang members, and after homicides and target list cases had been assigned to the Hardcore Division, the District Attorney

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would undertake to assign all remaining hardcore gang cases only to prosecutors who:

1) Have had experience in prosecuting gang cases, or

2) Have received thorough training in the techniques of gang prosecution from Hardcore deputies, or

3) Whenever possible, have both experience and training.

Not only would this policy improve the quality of gang prosecutions, it would ensure that gang specialists from other agencies -- L.A.P.D., L.A.S.D., L.A. City Attorney's Office, etc. -- always work with trained gang prosecutors on the most important cases. The key to this approach, however, is the initial targeting; without it, prosecutors cannot make the most efficient allocation of resources.

The L.A. City Attorney's Office has also taken a strong stance on gang prosecutions: Because felonies -- which encompass the most serious gang crimes -- are prosecuted by the District Attorney's Office, there is a tendency to overlook the role played by the L.A. City Attorney's Office. In truth, a great many gang crimes are prosecuted as misdemeanors and handled by the City Attorney. Recognizing that the office should play a role in combatting gangs, the City Attorney created its own vertical prosecution unit in 1987 to focus on hardcore gang members. The Gang Prosecution Section is well-regarded by gang experts outside the City Attorney's Office, and its results have parallelled the dramatic gains achieved by Hardcore a decade earlier.

Conviction rates have soared for gang misdemeanors involving civilian witnesses. Normal conviction rates for these cases fall in the range of 77-81%. The range for Gang Section convictions is from 87-100%. Conviction rates have not increased for cases that involve only law enforcement witnesses; but the benefits of vertical prosecution are evident in the average length of sentence -- 153.5 days vs. 25.2 days with normal prosecution. Similar gains in sentence length have been recorded across the board.[322]

The City Attorney has also established programs to deter gang activity: The Civil Abatement Program, mentioned above, got off to a rocky start when it faced legal challenges. Over time, however, the program has proven very effective in limited applications. It involves serving notice on individual gang members of a civil injunction against certain gang activities.

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[322] "Gang Statistics;" memorandum to the City Attorney from Bruce Coplen, Supervisor, Gang Prosecution Section; January 29, 1991.

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The big problem with this form of Civil Abatement is that it requires an enormous commitment of scarce resources -- even more than STEP -- to achieve its results. Another component of the abatement program focusses on property owners and others who maintain conditions which facilitate gang activity. The City Attorney's Office has also focussed on parental responsibility, which will be discussed in the chapter on prevention.

HISTORY'S LESSON: JOINT, TARGETED ANTI-GANG EFFORTS BY LAW ENFORCEMENT AGENCIES CAN REDUCE GANG VIOLENCE IN LOS ANGELES

Crisis conditions evoke extraordinary responses. At the peak of the previous gang crisis, in 1980, a series of measures were taken to attack gang violence. The Interagency Gang Task Force; the D.A.'s Hardcore Division; the Probation Department's SGSP; Community Youth Gang Services, and a number of law enforcement partnerships originated at that time.

Something appears to have worked in 1980. Gang violence fell sharply over the next four years: There are those who believe that the decline in violence was not due to all the new programs.[323] In support of that conclusion, they note that the programs were mostly created in late 1980 and 1981, after the homicide rate had already begun to drop. By this line of reasoning, that particular cycle of gang violence had simply run its course. The decrease in crime and the increase in government attention were related but not causally. They were different -- and, perhaps, mutually reinforcing -- responses to the same social crisis; the result of a kind of social bio-feedback loop. Violence had gotten so bad that gang members began to hold back out of fear, communities began to react out of desperation and government -- trailing the curve -- bestirred itself out of necessity. Thus did the cycle pass its peak and turn downward. The new programs, to the extent that they had any effect at all, served only to accelerate the trend.

The cyclical analysis is unproductive for policy purposes. If correct, it leads nowhere except to an anxious wait for the next statistical downturn. Those who believe that Los Angeles can affect its fate through public and private action would do better to examine the 1980 responses for clues to our current crisis. If something worked, what was it? And will it work again?

Specialization and inter-agency cooperation were the key elements of the response in 1980: Then as now, there was a perceived need for substantial additional resources. Then as now, the fiscal situation did not permit massive expenditures. Quite the

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[323] Professors Klein and Maxson are probably the most outspoken in their skepticism.

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contrary; this was the era of the first cutbacks in social services in the aftermath of Proposition 13. As a result, the new resources allocated to fight gang violence were modest at best. They were used primarily to create specialized gang units in Probation and the D.A.'s Office; to strengthen anti-gang efforts in L.A.P.D. and L.A.S.D.; to build some links between intervention activities and law enforcement (including CYGS); and to establish regular communication and cooperation between agencies. In essence, the goal was to see the gang problem as a whole and to address it in a coherent way that made the best use of existing resources.

Those who participated in that effort believe it was the new emphasis on communication and cooperation between agencies that made things work. A degree of trust and understanding developed between the gang experts in different agencies which made it possible to try things that would have been doomed to failure a few years earlier. Indeed, their response to the critique outlined above -- that the downturn in gang violence started before the new programs did -- is that the determination to address the gang problem as whole through cooperative efforts preceded the new programs and made them work. It was this change in attitude and approach which began to turn things around on the streets. A key question: If all this worked so well a decade ago, why doesn't it continue to work today?

The specialized gang enforcement units of a decade ago have been overwhelmed by burgeoning caseloads: Programs like Hardcore and SGSP were never lavishly funded. They were barely adequate to cope with a gang violence caseload roughly half that which L.A. is experiencing today -- and trending downward. As violence declined throughout the early '80's, and funding remained tight, there was little incentive for government to spend more on a problem that seemed to be more or less under control. By 1986-7, when it became clear that a new surge of gang activity was underway, crack cocaine had created an emergency on the streets. The fight against drugs had first claim on new law enforcement dollars. Anti-gang spending began to rise again, but not at a rate that kept pace with the problem.

The result, as has been described elsewhere, is a series of specialized gang enforcement programs that are no longer able to function as intended -- police gang units that have remained static while gang membership has soared; a Hardcore Division that can handle nothing but murder cases, and not all of those; an SGSP that can accommodate only a small fraction of gang members on probation. Restoring anti-gang programs to at least the levels of strength -- vis-a-vis the gang population -- of a decade ago would be one of the most cost efficient steps that policy makers could take to address the current crisis.

L.A. County and City should clearly define the missions of the

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specialized gang units and fund them at levels that permit those missions to be performed: Redefined missions for prosecutors and probation have been proposed above. But they cannot be implemented unless police gang units also take on expanded missions.

-- Targeting: The proposals presented here depend, in large part, on carefully targeting a relatively small group of hardcore gang members -- and an even smaller "core of the hardcore." Computerized targeting is the key to sensible and limited expansion -- achieving results at an affordable cost. It is essential, therefore, that the gang units within L.A.P.D. and L.A.S.D. receive additional resources -- some short-term, some permanent -- to implement and maintain effective targeting.

-- Inter-agency cooperation: If Los Angeles expects to reap the benefits of expanded law enforcement cooperation based on a collaborative targeting process, police gang units must also be staffed at levels which permit them to invest in effective cooperation. It is not easy, automatic or free.

-- Focussing on hardcore gang members: In addition to doing the targeting, and cooperating with other agencies in making it effective, L.A.P.D. and L.A.S.D. must make better use of their personnel by re-orienting their own enforcement efforts toward investigating and arresting hardcore gang members. For gang units, this will not be a major change since current practice sets the same goal. It is simply a matter of using the database to target less subjectively. However, the new focus would require an important change for regular deputies: It is important that all potential gang cases be checked against GREAT/GTS to determine whether hardcore gang members are involved. Without this step, prosecutors and probation will not be able to prioritized effectively.

-- Expanded street-level gang enforcement: New missions for police gang units must not be permitted to interfere with the basic work of street-level intelligence gathering and gang enforcement. That work has suffered in recent years because gang units have not kept pace with gang growth. Both L.A.P.D. and L.A.S.D. should bring their gang units up to levels of strength that are commensurate with today's problem instead of maintaining the staffing levels of seven or eight years ago when gang violence was at a modern low.

-- Regular, independent evaluation: As will be discussed at greater length in the chapter on gang prevention, solid information on what works and what doesn't is at a premium. Law enforcement efforts should not be exempt from requirements for regular, evaluation. Because gang

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activities are only a tiny piece of each agency's responsibility, such evaluations are unlikely to come from inside. They must be conducted by outsiders with a strong focus on gangs and gang activity. Ideally, the Board of Supervisors and the CAO (or the City Council and the Mayor) should do this as part of a regular evaluation of anti-gang efforts, including prevention. Failing that, the task of contracting for evaluations could be delegated to the Interagency Gang Task Force, or to its parent body, the County Criminal Justice Coordinating Committee.

Although L.A. gang enforcement officials continue to have strong and cordial working relationships, some of the old spirit of cooperation has dissipated: The history of GREAT is a metaphor for the change that has taken place. As the product of an earlier era of easier cooperation, GREAT was envisioned as a unified effort. But as the idea moved to fruition, the goal of unity never quite materialized. Now we have a good system that is far less than it could be: L.A.P.D. and L.A.S.D. have separate-but-not-quite-equal systems and probation is not a meaningful part of either system.

Other worthy efforts have similar stories that differ only in detail. The reasons are both simple and complex. On one level, it is as simple as the loss of some key individuals. People move on and the inter-agency relationships they built are not quite the same without them. On another level, the relative success of anti-gang efforts a decade ago permitted top policy makers to turn their attention elsewhere. Shifting priorities at the top lessened the pressure for cooperation in the middle ranks. Natural institutional rivalries reasserted themselves to some degree.

Such changes are inevitable with the passage of time. If things are better on the cooperation front today than they were in the late 70's -- and they <u>are</u> better -- it is because of the work of the Interagency Gang Task Force.

The Interagency Gang Task Force continues to do valuable work but its focus is no longer primarily on law enforcement and suppression: The Interagency Gang Task Force is a permanent sub-committee of the Countywide Criminal Justice Coordinating Committee.[324] Created by Los Angeles County in 1980 to facilitate and institutionalize inter-agency cooperation in gang enforcement, the IAGTF has been a much-imitated success. In its early days, it was a forum for collaboration on projects like GREAT. It continues in that role today, especially for key projects that involve joint law enforcement and prevention

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[324] The formal relationship with CCJCC is new, having been instituted in 1988

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efforts. Through its regular monthly meetings, and through its widely disseminated newsletter, the Task Force functions as a network for all agencies working on the gang problem in L.A. County. It also acts as an advisory body to the County Board of Supervisors (and, informally, to the City of Los Angeles), compiling data and making policy recommendations.

The IAGTF was originally focussed on communication between law enforcement and gang suppression workers. Over time, the membership of the Task Force and its mission have shifted to include a much broader focus on prevention. Indeed, the current Task Force structure includes sub-committees for education and community mobilization, but none for suppression or law enforcement.[325]

Comments on the IAGTF during interviews were mildly schizophrenic. On the one hand, there is strong support for the Task Force's ongoing work, and a real emotional investment by many people in the institution and its past. On the other hand, there is frustration and a sense of wasted time and effort. To some degree, this is probably displaced anger over what many members regard as inadequate county and city funding -- and the seeming inability of the Task Force to change that reality. On the other hand, there were several recurrent themes:

-- Meetings tend to be less and less about working out practical problems. In a sense, this criticism is unjust, because the Task Force was not really set up to take direct action. It's purpose was -- and is -- to ensure full and easy communication between all agencies. By all accounts, the Task Force continues to perform this mission admirably.

-- Those who attend Task Force meetings do not always have the power to commit their agencies or to take quick action. Again, this is not surprising for a group founded to further communication rather than to execute policy decisions.

-- Expanding the Task Force's agenda has brought in the turf wars of the prevention community. This sometimes creates situations in which Task Force meetings are used to impede action by those perceived to be competitors.

-- There's a lot more going on in this field than there used to be, and coordinating the response to gangs throughout a county of nine million people is simply too big a task for a single committee meeting monthly.

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[325] Suppression matters are sometimes handled informally through the Executive Committee, which includes most of the major law enforcement agencies.

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The IAGTF may want to consider organizing along sub-regional lines: Reorganization along more local lines was suggested independently by several sources. Though logical, the proposal may envision a more activist role than the Task Force has played heretofore. As will be discussed in the chapter on prevention, much of the Task Force's current work already deals with encouraging community mobilization in targeted geographic areas. Apart from issues of authorization and funding, such projects fail or succeed based on cooperation between local players. Pulling them together into sub-regional task forces might be sensible -- especially if the target areas are defined by law enforcement jurisdictional boundaries.

The IAGTF should seek to sharpen the focus on its original goals of suppression without damaging the new emphasis on prevention: In addition to exploring possibilities for sub-regional organization, the Task Force should re-examine its balance between suppression and prevention. In talking with members and observers of the Task Force, it is clear that little in the way of law enforcement initiative moves through that channel -- except as it relates to joint community mobilization efforts. Yet there is a need for dialogue on the professional agenda for law-enforcement cooperation in gang suppression. The IAGTF could perform a valuable service by providing a forum for regular law enforcement consultation -- perhaps by establishing a suppression sub-committee that would include federal representatives.

Some such forum, with an agenda limited to improving gang suppression, and membership limited to law enforcement, will be necessary if proposals like targeting hardcore gang members via the GREAT system are to be implemented across agency lines. If the IAGTF is not an appropriate or workable forum, one should be developed through other channels.

A key goal of county gang enforcement should be to develop a basic coordinated strategy for gang suppression in target areas. As detailed above, law enforcement has developed a number of tools that can clearly have major short-term impacts on gang activity in any given area. The STEP process (and Civil Abatement); vertical prosecution; gang sweeps (or other forms of temporarily stepped up levels of gang enforcement); all these strategies work. They all produce immediate drops in gang activity. They all leave a lingering "aftertaste" that keeps gang activity artificially low for a while after the programs end. Unfortunately, they are all labor-intensive as well, which renders them ill-suited for use county-wide. They are, by nature, confined to use within one or more limited target areas at a time. A key goal of county gang enforcement should be to transform this limitation into a virtue.

The exciting questions for law enforcement are these: What would happen if all these strategies were applied simultaneously

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in the same target area? How far down could gang violence be driven? How long would it stay down? What "booster" efforts would suffice to extend the period of inoculation? Could such a program be used to permanently lower total violence by breaking a cycle of gang warfare?

The District Attorney's Office, the Sheriff's Department and the Probation Department are currently engaged in an experiment to attempt to find some answers to those questions. The goal is to develop a coherent, united approach that can be replicated on a serial basis throughout the county's gang infested neighborhoods.

The target area suppression strategy should be used only in coordination with (and as an incentive for developing) an effective local prevention strategy: Even the most optimistic goals for a target area suppression strategy do not envision permanent eradication of gang violence. Perhaps, with luck and several months of intensive effort, an area could be given substantial relief for a year or so. While that kind of breathing space has value, it is not an end in itself. It is better seen as a tool for achieving a higher goal.

Since the ability to provide all-out suppression in a target area is a limited resource, it should be deployed in a way that provides maximum benefit. Law enforcement should commit to such an effort only when a community has developed, and is prepared to implement, an effective local prevention strategy. The goal of the suppression effort should be to provide a "window of opportunity" for the community efforts to take hold. In a perfect world, the improved prevention programs would then enable the regular contingent of local law enforcement personnel to sustain the lower levels of gang activity more or less indefinitely -- perhaps with occasional "boosts" from outside.

Not only would this be an efficient use of limited law enforcement resources, it would also give communities (and their political leaders) extra incentive to get behind effective, coordinated prevention programs in order to qualify for the special law enforcement help. Indeed, a key function of the IAGTF (and/or its sub-regional units) could be to assist communities in developing and implementing such plans, perhaps using the Target Area prevention strategy being pushed by CYGS and others (see next chapter).

Over time, using a limited set of resources, Los Angeles City and County could have a system of rolling suppression efforts moving around the region on a cyclical basis. A short burst of coordinated suppression activity would be repeated in gang-infested areas at regular intervals (perhaps every four or five years, if needed -- sufficient time for generational

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turnover among the local gang population). These bursts would be conducted in support of a regular, planned evaluation and renewal of local prevention efforts (discussed in next chapter). If left in place and nurtured, this system could prove to be a flexible, coordinated and effective long-term answer to Los Angeles' endemic gang problems. Repetition and evaluation would doubtless bring refinements and improvements. Combined with the cooperative, targeted gang enforcement efforts outlined in this chapter, it could develop into the strategy that allows us to repeat, and improve on, the successes of the early 1980's.

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CHAPTER SEVEN: GANG PREVENTION PROGRAMS

There is a growing consensus within Los Angeles County that prevention is the key to a gang-free future (or, at least, to a future with greatly reduced levels of gang violence). No one has converted to the prevention faith more devoutly than the county's law enforcement officials. From the Sheriff to the Police Chief to the lowliest cop on the beat, one hears the same message: "Law enforcement alone cannot solve the gang problem. The answer, like the problem, must come from within the community." The expansion of priorities at the Interagency Gang Task Force is but one sign of that shift in local thinking. There are many others.

The local emphasis on prevention is mirrored nationwide. In fact, it is getting difficult to find dissenters. All the major players and thinkers in the field agree: Prevention is the long-term answer. The trouble is, prevention means many different things; and few if any have been proven to work.

The many different approaches to gang prevention can be divided into a few broad categories: Irving Spergel and colleagues, in their national study, Youth Gangs: Problem and Response, divide prevention efforts into four kinds of traditional activities: suppression; providing opportunities; social intervention; and community mobilization -- each will be defined below. They also suggest that a fifth approach may be emerging which involves institutional and organizational change.[326] In Los Angeles, as in most communities with gang problems, no single strategy holds sway. Not only do different groups and agencies work within each of the broad philosophies, many groups combine some or all of the approaches within a single program.

There is only the sketchiest of data about what works and what doesn't: It is almost too kind to suggest that there is any data at all on what works. Evaluations in this field are rare. That is because they are difficult, because they compete for resources with the under funded programs they would evaluate, and because the results often make unpleasant reading. For many of the same reasons, those evaluations that do exist tend to be suspect. In the world of competitive funding, many a lily has been gilded in the name of the greater good.

With all the good will and investigational rigor in the world, however, defining success and apportioning the credit would remain a tricky business. As has been pointed out, the mere act of improving data collection -- which has unquestionably strengthened gang enforcement -- has shown up in L.A.'s crime statistics as a sharp jump in gang-related crime, nothing more. Counter-intuitive results of this kind are common. For instance,

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[326] Spergel, et. al., Op. Cit., p. 142-156

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suppose that a community mobilization effort results in a citizenry which is both more trusting of the police and more sanguine about the possibility of successful action against gang members? In such a community, reported gang crime would probably rise, perhaps quite substantially. Would the mobilization then be considered a success or a failure?

The cynic who said that victory has a thousand fathers while defeat is an orphan should have worked in gang prevention. The classic case is Philadelphia, which saw a dramatic drop in its gang problems dating from the mid-seventies. There is no consensus on how this happened. There were significant gang suppression activities by the police. There was an innovative "Crisis Intervention Network" (CIN) which combined some elements of social intervention with an unusual degree of linkage with the local probation department.[327] There was a remarkable and intensely personal local institution called the House of Umoja, which is still highly regarded but has never been evaluated. Each of the players has laid claim to the success; none can prove it. Probably they all had a hand in it; and perhaps it does not matter either way -- except for those who must try to divine a lesson from the Philadelphia story.

Among those who work with the gang problem, providing opportunities and community mobilization are generally perceived to be effective anti-gang prevention strategies; suppression and social intervention are not: While there is not much in the way of proof about what works, there is some recent information about what is perceived to work. Irving Spergel and David Curry, as part of the National Youth Gang Survey, asked 254 persons involved in anti-gang activity in 45 cities which strategies had been used by their organizations, and which ones had been effective in improving the gang situation. They also attempted to verify that respondents' perceptions were not wildly at variance with local reality.[328]

The survey found that the most widely used strategies, by far, were suppression and social intervention; yet neither was perceived to be especially effective. Providing opportunities was the strategy least often used yet most often judged

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[327] Steve Valdivia of CYGS maintains that the CIN program in Philadelphia was modeled after a series of programs that originated in East Los Angeles some years earlier, including the Gang Ambassadors program of the Federation of Youth Gangs. Some of the program's alumni are now very prominent leaders in Latino politics.

[328] Spergel and Curry, "Strategies and Perceived Agency Effectiveness in Dealing with the Youth Gang Problem," in Gangs in America, edited by C. Ronald Huff, Op. Cit., pp. 288-309

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effective, especially in cities with chronic (as opposed to emerging) gang problems. Community mobilization was also lightly used but highly regarded -- though it was rated somewhat more effective in cities where gang problems were not yet chronic. Finally, institutional/organizational change was neither widely used nor highly regarded as an effective anti-gang strategy.[329]

PROVIDING OPPORTUNITIES AS A GANG-PREVENTION STRATEGY

The strategic category of providing opportunities excludes many prevention activities that might be considered opportunities -- recreation, for instance; or child welfare and dependency services. As defined, this category -- rated the most effective by experts around the country -- deals almost exclusively with efforts to provide educational and economic opportunity.

As a city of immigrants, with all the attendant consequences for gang activity, Los Angeles must be especially cognizant of issues involving opportunity: It is no coincidence that the same basic engines of opportunity which make it easier to absorb new immigrants also have profound impacts on gang activity. Not only are the children of immigrants prime candidates for gang formation and recruitment, the emergence of such gangs tends to disrupt the local equilibrium and set off cycles of gang violence. For these reasons and others, anything public policy makers can do to speed the absorption of immigrants will also help control the spread of gangs.

That is easier said than done. Like other cities before us, Los Angeles is experiencing a surge of immigration so vast that it marginalizes the impact of local government. Still, even marginal improvements can have value. In addition to the basics of education and economic growth, local government should consider other actions that may help ease the trauma of the immigrant experience, and lessen the chances that immigrant youngsters will be pulled into gangs: increasing the number of classes in English as a second language (ESL) available to adults; encouraging private efforts (often organized along religious and ethnic lines) to resettle new arrivals and pull them into community life; ensuring that public assistance regulations and other public policies do not inadvertently weaken family ties and parental authority, etc.

The key moments in gang prevention are when young men think about entering a gang and when they think about leaving. That makes good schools and jobs the best gang prevention programs of all: A large number of those who might join gangs can be deterred -- <u>if</u> there is some alternative to hold their attention and their allegiance. A large number who join gangs will bump along the

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[329] Ibid., pp. 299-309

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edges of the sub-culture and eventually grow out of it -- if there are opportunities to move forward in life. But in between the decision to join a gang, and the decision to leave it, is a world of much prevention effort and very little result.

This means that effective gang prevention programs should be targeted on those who have not yet joined and those on the verge of leaving. It also means that Los Angeles must depend on the great institutions that have always been society's bulwark against gangs: schools that hold and teach young people, and an economy that draws them to the workplace.

OPPORTUNITY THROUGH EDUCATION

Improving the public schools is by far the most significant long-term anti-gang strategy that Los Angeles can pursue: For immigrants and the native-born alike, any discussion of how to keep young people out of gangs begins with school -- not gang prevention curricula; just plain school. Without exception, those interviewed for this study mentioned good schools as the single most important key to dealing with gangs. If Los Angeles could trade every gang prevention program in existence for schools that kept kids in school and provided them with solid foundations for success, we would be well-advised to make the deal.

The point is so obvious that it is sometimes overlooked: policy-makers at every level -- not just school boards -- who are intent on fighting gangs should do everything in their power to help keep kids in the classroom and off the streets. It is inappropriate in a study such as this to recommend systemic changes like greatly increased funding for (or fundamental reform of) the public schools. If California were able to resolve such global issues, many problems besides gangs would soon appear in a different light. Still, there are many less sweeping ways that local governing bodies can impact the public schools -- from truancy enforcement, to security, to recreation policy.

Experimenting with schools designed to better serve the needs of low-income, minority neighborhoods can have powerful side benefits in reducing gang membership: There are numerous proposals for restructuring and refocussing schools to better meet the needs of disadvantaged minority children -- the very population most at risk for gang membership. To cite one specific example that has widespread support, the Governor has offered (though not yet funded) a proposal for using schools to deliver community services. In addition to its other benefits, the plan is a good bet to keep more kids in school; to help them begin each day in decent health, able to concentrate and to learn; to spot problems early -- learning disabilities, hearing and visual difficulties, hyperactivity, etc. -- within an environment where help is available; and to draw more parents

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into the school community. A school-based, integrated services-delivery system could also provide important opportunities for early intervention with young people heading for trouble with the law. All these things could have a tremendous impact on gang recruitment by helping more children meet with success in school. County and city officials in Los Angeles have shown commendable interest in the school-as-community-center concept. They should not only cooperate in this endeavor, they should help lead it.

Gang prevention programs have been pursued with vigor and creativity in Los Angeles schools: In addition to the powerful anti-gang influence of providing a good education, schools have drawn great attention as a natural focus for various gang prevention strategies. Los Angeles has been a national leader in this field. Many school districts in California and elsewhere have copied the pioneering work of Tony Ostos and his "Alternatives to Gang Membership" program in the Paramount schools. The L.A.P.D.'s DARE program is probably the most widely used (and copied) prevention program in the country.[330] SANE, a similar program sponsored by L.A.S.D., is a bit more overt in its focus on gangs than DARE. Both programs teach skills and attitudes that can help fight gangs within programs aimed primarily at drugs.

The L.A.U.S.D. is building anti-gang instruction into the basic curriculum with its Gang Resistance Education and Training (GREAT) program and Mission SOAR (Set Objectives, Achieve Results). The L.A. County Schools sponsor 14 separate Gang Risk Intervention Pilot Programs (GRIPP) partially funded by the state. CYGS teaches its Career Paths anti-gang, anti-drug curriculum in targeted schools. There are literally dozens of other worthy programs throughout the county, including a number of generalized prevention programs (like Second Step, and Here's Looking at You, 2000) aimed at identifying "risk factors" for kids; helping building self-esteem; strengthening decision making skills; teaching techniques for resisting peer pressure, etc.

It is difficult to prove the value of in-school gang prevention programs: The general pattern in evaluating these programs is to measure the attitudes of children before and after. For instance, the highly regarded Gang Alternatives Program, which was modelled after the Paramount program and operates in Harbor area schools, can point to the following results: Before GAP started (operations began in 1986), 37% of the target population (elementary school children) had positive attitudes about gangs and drugs; five years later, just 2-3% had such attitudes.[331]

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[330] Some 11,000 officers in 4,000 police agencies in all 50 states teach the standard DARE curriculum.

[331] Figures provided by Ernie Paculba, Director of GAP

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It makes sense to assume that attitudinal changes of such magnitude will have an impact on gang recruitment. Yet when it comes time to test that assumption, results are mixed at best.

In the Harbor area there was indeed a decline in gang activity during 1989-90 but, unfortunately, the numbers went back up in 1991. Even that temporary decline seems to have been associated with the deterrent effect of serving STEP (and Civil Abatement) notices -- and possibly with community mobilization efforts by the Community Reclamation Project. There is no evidence that the GAP program in the schools had an independent impact. Indeed, in at least one respect the impact may have been negative. GAP makes a major effort to remove graffiti, yet there is more graffiti in the target area after five years of the program than when it began. The difference is that much of the graffiti is now aimed at GAP rather than at rival gangs.[332]

In Paramount, where one of the most admired and imitated school-based prevention programs in the country has been in place for a decade, the results are also ambiguous. Once again, there was clearly a change in student attitudes toward gangs after the Alternatives to Gang Membership (AGM) began. It is also generally agreed that gang membership and gang activity both fell rather sharply in the next few years. On the other hand, the Sheriff's O.S.S. suppression program began working in Paramount at the same time that Tony Ostos was starting AGM. And the period in question (the early 80's) saw a sharp drop in gang violence throughout L.A. County. Five years ago, Paramount's gang activity turned upward -- once again a change that basically parallelled trends within the county as a whole. Among other things, the city seems to be suffering from tensions between old and new gangs, a common pattern wherever immigrants settle in greater Los Angeles.

Since the DARE and SANE programs focus primarily on drug abuse, they have never been evaluated as gang-prevention strategies. However, DARE's impact on drug use has been evaluated and the results are not encouraging:

> "'Generally, evaluators have reported that DARE has a positive influence on students' knowledge regarding drugs,' said a study last year of nearly 2,000 Illinois students by the Center for Research in Law and Justice at the University of Illinois in Chicago. 'However, the effectiveness of DARE in altering students' drug use behavior has yet to be established,' said the study which cited more than a dozen evaluations of the

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[332] In theory, that could be a significant difference, since much gang violence is sparked by reactions to the graffiti of rival gangs.

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program, including one in Los Angeles. 'The available findings indicate that DARE either had no behavioral effects or had a significant effect for only a few substances.' An attempt to quantify DARE's success in Los Angeles showed little difference in drug use among seventh- and eighth-grade students who had the 17-week curriculum and those who did not."[333]

If DARE is struggling to have a measurable impact within its primary area of emphasis, there is little reason to believe that programs of this kind are substantially more effective in areas that receive far less attention -- like gang prevention. Indeed, gang violence in the City of Los Angeles has risen almost every year since DARE began in 1983.[334]

Whatever their merits, school-based gang prevention programs, by themselves, will never put an end to the gang problem: In almost every case, evaluators of in-school programs come away enthusiastic. Positive anecdotes abound. But the numbers are mixed or missing in terms of impact on crime. While this may be disappointing, it should not be surprising. Most programs involve limited periods of instruction -- a few hours a week, a few weeks a semester, taught at one or two grade levels. As one prevention activist told us, "Compare those few hours of anti-gang instruction with the reality that kids face in a gang neighborhood -- cheek-to-cheek with gang culture 24-hours a day, seven days a week, 52 weeks a year. What they're living overwhelms what they're taught. It's not an equal contest."[335]

The answer is not to seek substantially more class time. That could only come at the expense of regular instruction and would undermine the already difficult task of teaching basic skills. Instead, school-based prevention programs must be linked into larger, coordinated efforts at gang prevention. While this strategy holds promise, it is no guarantee of success. Many of the best programs (including Paramount's) are already cross-connected to non-school prevention activities.

PROVIDING OPPORTUNITIES THROUGH WORK

It is easier to focus public efforts on educating at-risk youngsters than on employing older youths: Frustration with the

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[333] Ted Rohrlich, "DARE's Results Prove Difficult to Measure," Los Angeles Times, Sunday, January 19, 1992, p. A30

[334] DARE is not alone. The road to an effective drug prevention curricula is strewn with the wreckage of disappointing results.

[335] Interview with Ernie Paculba, of Project GAP

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public schools may be a healthy sign, for at least it betrays an expectation that something more can and should be accomplished. When it comes to providing jobs and job training for gang members, there is a foreboding silence. In part, this simply reflects the difficulty of the task. Forcing an economy engaged in the relentless destruction of unskilled jobs to reverse course and create opportunities for gang members is a far more daunting prospect than molding young minds in school. But there are also ethical and ideological considerations that muddy the waters. Children are not usually held responsible for their own fates; adults are. The implicit sense of public responsibility for children fades as youngsters approach adult status -- especially when the youngsters in question are criminals, as so many gang members are. The question then becomes: Why should society invest in helping this group find jobs? Especially when so many other young people -- equally unskilled but without criminal records -- are in desperate need of the same kind of help?

Each community must weigh these considerations against the potential benefits of employment training programs and come to its own conclusions about where and why to concentrate resources. But there is no disputing the link between getting a job and leaving a gang:

> "Job opportunities are critical to the reduction of the gang problem for older youth and young adults. Older adolescents and young adults tend to stay in the gang probably long after they are ready to leave it because adequate job opportunities and linkage to employment are not available. Many older gang youth could be considered 'at-risk' of leaving the gang under appropriate conditions of employment and career development opportunity."[336]

Jobs, for all their many positives, do not necessarily equal the end of gangs and crime: There is evidence that youths who are employed do much worse in school than those who are not -- and that drug use and delinquency rise with employment.[337] Jobs are the keys to the future. Without them youths are locked into the gang lifestyle. But keys do not guarantee that doors will open; and jobs -- especially the kinds of unskilled, low-paying jobs most available to youths leaving gangs -- are no panacea.

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[336] Spergel, et. al., Op. Cit., p. 250

[337] David Huizinga and Elbert Elliott have drawn the conclusions on drugs and delinquency from data collected for the National Youth Survey since 1976. The Dept. of Labor reports on the progress of employed youths in school. Both are cited in a forthcoming report for the National Institute of Justice.

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There are a number of employment training and placement efforts in the Los Angeles area that have had success with gang members: Policy-makers looking for examples of innovative and successful gang-related employment programs will find plenty of them in Los Angeles. Here are four examples:

-- **The Job Corps:** Perhaps the best known employment program in the country is the federal Job Corps. The program has been rigorously evaluated, and it works. Maintaining one person in the Job Corps for one year costs about $20,000. Roughly two-thirds of all graduates are placed in jobs, with an additional one in six going on to further education (entering the program is not the same as graduating; there is a very substantial failure/drop-out rate). Graduates not only better themselves economically compared to similar young people who do not enter the Job Corps, they are also markedly less likely to be involved in criminal activity.[338]

Here in California, the Job Corps reports good success working with gang members even though the program was not set up for that purpose and keeps no separate statistics. Job Corps staff are well-trained and enforce no-nonsense rules against any visible sign of gang activity or affiliation. In addition, the great majority of Job Corps students are in residential programs that take them out of their home neighborhoods. This makes it easier for young people to pull away from the gang. Indeed, it is sometimes a major reason for joining. Another, less encouraging, reason for Job Corps success with gang members may be that many hardcore youths are effectively screened out of the program. Applicants on parole or probation are not accepted, nor are those convicted of violent offenses.

-- **The East Los Angeles Adult Skills Center:** In many ways, this center, which is operated by the L.A.U.S.D., functions as a non-residential Job Corps program. It is not the only such center in L.A. County, but it is unusual in its attention to the gang problem and its close working relationships with a host of anti-gang organizations -- from local parent groups to law enforcement. Roughly 10-15% of the students are gang members, so the staff has long-since learned to enforce strict rules against gang clothing and paraphernalia. Nevertheless:

"The philosophy of the Skills Center is not to eliminate gang members from the program but to communicate to them the

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[338] David A. Long, Charles D. Mallar, and Craig V.D. Thornton, "Evaluating the Benefits and Costs of the Job Corps," Journal of Policy Analysis and Management, 1(1), (1981): 55-76.

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serious negative consequences of gang membership. There is an awareness and understanding that gangs have been an important and traditional source of identification by male youth in the process of growing up in the community. Focus is on certain behaviors, such as violence, drug use, sale and possession, as well as other criminal activities, that will not be tolerated in the Center and should be eliminated generally by students."[339]

The Skills Center serves around 1,200 students at any one time, the bulk of whom are aged 16-21. Of those who complete the program over 90% are said to be placed in jobs. The program has never been formally evaluated as a gang-prevention strategy; that is not its primary purpose. But national researchers have singled out the Center as a major contributor to the concerted community effort that reduced gang violence in East Los Angeles during the '80's. On the other hand, the Center's continuing good work (and that of other agencies) has not prevented a resurgence of gang activity in East Los Angeles over the last few years.

-- **Youth Opportunities Unlimited:** YOU is a new federal program designed to test an integrated approach to employment training by targeting all the youth within a single troubled neighborhood (no more than 25,000 people) rather than troubled individuals from many different neighborhoods. In addition to multiple approaches to job training, the intent is to provide a range of support services that will complement and strengthen the employment programs. Los Angeles is one of seven sites to receive a challenge grant that helps fund a five-year experiment with YOU. Obviously, YOU has not yet demonstrated success in dealing with gang members. It is listed here because the focus on a comprehensive effort within a limited target area fits so well with the emerging consensus that gang problems are best addressed through community mobilization and coordinated multiple prevention efforts within each neighborhood.

-- **The El Monte Plan:** Many of the goals of the YOU program have been implemented -- with a specific focus on gang members -- for nearly 20 years in the city of El Monte. A cooperative effort between the local Boys Club and the police (also involving many others: Probation, local high schools, business people, etc.) has resulted in a host of activities aimed at fighting gangs -- from graffiti removal to recreation to remedial education for CYA inmates returning to the community. The centerpiece of the effort,

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[339] Irving A. Spergel and Ron L. Chance, Community and Institutional Responses to the Youth Gang Problem, January, 1990, p. 166

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however, has involved a sustained commitment to providing jobs for gang members. Over the years, nearly 1,600 youths have been placed in jobs.

The jobs effort in El Monte did not begin as an employment program in the traditional sense. The goal was less to employ gang youth than to separate them from their gangs. Thus gang leaders were singled out for the program in hopes that their employment would weaken the gangs. Jobs on the night shift were preferred because they made it difficult to hang out with buddies in the gangs -- and because, if nothing else, night hours would keep guys busy during the prime-time hours for crime. Incidentally, night shifts also increased chances for on-the-job success because gang youth were used to an evening/night schedule for their primary activities.

The El Monte Plan has benefitted from unusual constancy of purpose and stability in leadership. As befits so long-lived a program, its impact has been chronicled and studied in great detail. Four facts have emerged:

1) A remarkable number of businesses have cooperated to provide a large number of jobs to an unskilled, at-risk population of young men. On balance, the gang members have made good employees. Participants (employers and employees alike) continue to be positive about the program.

2) The people and the leaders of the city of El Monte clearly believe that the gang problem there has abated.

3) The number of homicides in El Monte has dropped slightly over the life of the program, despite a tremendous growth in population. The drop in gang-related homicides was especially pronounced (from four per year to one per year).

4) Yet it is not easy to prove a statistical connection between these good things and the El Monte Plan. The decline in gang-related homicides did not begin when the plan started, but five years later -- at the same time a similar decline began countywide (though the gang related homicide rate did not turn back up again in the mid-'80's as it did in the rest of the county). A comparison of 100+ participants in the program with a control group of similar youth found no difference in criminal outcomes. It appeared that both groups simply matured out of criminal gang behavior. There is also a question about the kinds of young people referred for jobs -- whether they are all (or even

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predominantly) gang members or simply youth at risk.[340]

Gang prevention policy in Los Angeles County should include a strong emphasis on employment programs: As will be evident from the program sketches above, employment programs aimed at gangs provide no answers that are simultaneously clear, consistent and cheap. By comparison with other forms of prevention, however, they are models of proven success. Some gang workers believe that Los Angeles has gone backward in its efforts to put young people to work, asserting that successful programs which linked youth with potential employers were defunded after the passage of Proposition 13.[341] Whether or not that is true, both County and City should bend every effort to improve their performance in this area -- lobbying for increased Job Corps funding; providing maximum feasible support for adult skills centers and remedial education of all kinds; encouraging school districts to strengthen the links between schools and private employers; supporting public/private collaborations on job placement and training; exploring the potential of the YOU model in as many gang-infested neighborhoods as possible.

Limited job training and employment resources should be focussed on the most difficult cases: While some gains can be made through increased emphasis and improved coordination, it is probably impossible to substantially increase job-training slots without substantial increases in funding. If public budgets will not permit such an expenditure, then close attention should be paid to making the most effective use of those slots currently available.

"Creaming" is common in programs of this type, not only because working with marginal youth is easier but also because relatively low success rates threaten the funding of programs that honestly concentrate on the most difficult cases. Yet researchers have long since concluded that the greatest impact comes from helping individuals who are "relatively more disadvantaged."[342] Irving Spergel points out that this finding argues for directing more gang members <u>into</u> job programs instead

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[340] Ibid., pp. 101-134. Spergel and Chance present a detailed analysis of the El Monte Plan and attempts to evaluate it.

[341] Sandra Figueroa of El Centro del Pueblo, for instance, was quite vocal on this point.

[342] Sar A. Levitan and Frank Gallo, "Uncle Sam's Helping Hand: Educating, Training and Employing the Disadvantaged," in <u>New Developments in Worker Training: A Legacy for the 90's</u>, Industrial Research Association, 1990.

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of screening them out.[343] It also argues for expanded efforts to reach gang members in prison and the CYA. Effective job training programs behind bars are always controversial. But if the goal is to have the biggest anti-crime, anti-gang impact for each dollar spent, reaching this hardcore and soon-to-be-released population must be part of the answer.

Where possible, publicly funded summer jobs should be used as part of a gang-prevention strategy: Several agencies mentioned the tremendous value of summer jobs for young people in gang neighborhoods. Apart from the value of the work performed, such programs keep kids busy and provide a little spending money, thus lessening the pressure for theft, drug dealing and other crimes. They provide a respectable alternative to gang activity -- an excuse not to be involved. They reinforce the work ethic and teach basic work skills -- like showing up on time and respecting supervisors. And they give the youth agencies through which jobs are contracted some leverage with marginal kids -- a carrot for encouraging and rewarding changed behavior. No one suggested that summer employment might lure hardcore gang members out of the gang, but the potential for holding back marginal youth is very high. To that end, one respondent suggested that, if a choice has to be made, more jobs of shorter duration are preferable to fewer jobs which last all summer -- and that there is a tremendous need for at least a limited number of after-school jobs available during the school year.[344]

On a smaller scale, carefully supervised employment of ex-gang members in publicly funded prevention programs can be valuable: This is a controversial policy, one that bitterly divides a number of agencies. The risks and contradictions of hiring gang members for prevention work are enormous -- especially when they work in close contact with buddies in their former gangs.[345] On the other hand, many people currently working in gang prevention, recreation, law enforcement and other governmental services came out of gang backgrounds. Many got started in just these kinds of jobs. Using public jobs to help maintain that pipeline of

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[343] Youth Gangs: Problem and Response, Op. Cit., p. 253

[344] Interview with Connie Calderon of the Wilmington Teen Center

[345] The CYA's Gang Violence Reduction Program (GVRP), for instance, relies almost exclusively on ex-gang members who work mostly in their old neighborhoods -- unlike CYGS, whose workers are more mobile and may work in a number of neighborhoods over time (or at the same time). At different periods in the life of the program, this practice has caused GVRP serious problems. Today, with strong leadership and strict supervision, the program seems to be working well.

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opportunity makes good sense.

As a practical matter, it is clear that Los Angeles should increase its investment in prevention substantially over the next few years. In turn, that should make a small but significant number of publicly funded jobs available. Since there is little likelihood of a WPA-type public hiring program anytime soon, the prevention jobs will be the only direct employment opportunities available through local government in some gang neighborhoods. Hiring a certain number of ex-gang members is a way of making those job slots do double duty -- but only if there is a commitment to doing it right.

When a program decides to depend on ex-gang members as part of its staff, experience dictates that this must be treated as a job training program in its own right, with all the extra support, preparation and strict supervision that such programs entail -- including drug testing, regular turnover and job placement: Failure to expend that extra effort and money will not only doom the employment preparation, it may seriously endanger the primary prevention activities.[346] It is also important to carefully consider which roles are appropriate for ex-gang members and which are not. For instance, the Alternatives to Gangs Membership program in Paramount does not use ex-gang members in elementary schools for fear that they will be perceived as role models and heroes. Even in the upper grades, great care is exercised to avoid sending mixed messages about the consequences of joining a gang.

SUPPRESSION AS A GANG PREVENTION STRATEGY: JUVENILE JUSTICE

Suppression tactics were dealt with at length in the chapter on criminal justice system responses. The focus here is on those gang enforcement activities which do not involve the arrest, prosecution and incarceration of felons. While technically suppression activities, these programs are closer in spirit to prevention than to law enforcement.

Heavy caseloads of serious crimes have forced the priorities of the juvenile justice system away from effective gang prevention: Law enforcement has a critical prevention role to play in partnership with the juvenile justice system. Unfortunately, the prevention potential of that partnership is not being realized

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[346] A case in point is CYGS, which was founded with similar goals. Failure to expend sufficient effort in selecting, training and supervising ex-gang members resulted in serious difficulties. Only after the current director changed course entirely, strengthened supervisory discipline and de-emphasized hiring of ex-gang members, did the agency begin to fulfill its potential.

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because of fundamental flaws in the system. No one has made this point more consistently over the years than the District Attorney:

> "You do not rehabilitate recidivist violent criminals. You have to get to them before they become habitual criminals. [Otherwise] they are in and out of prisons the rest of their lives....The fundamental problem with the juvenile justice system is that it unwittingly nurtures habitual criminals....The system gives the least amount of attention to the youngest kids who have committed the least serious offenses. Conversely, it gives the most attention to the oldest kids who have committed the most serious offenses. Now in a system with limited resources there's a surface logic to that....The problem is that it has the effect of focussing all your attention on those on whom you have no influence or impact whatsoever and substantially ignoring those whom you might otherwise help."[347]

The reason for this misallocation of resources is the huge and growing caseload of juvenile felons -- many of them violent:

> "The California Department of Justice reports that juvenile homicide arrests in Los Angeles County went from 142 in 1985 to 403 in 1990, a 184% increase. Approximately 40% of the children detained in Juvenile Halls are awaiting trial or other court hearings for serious offenses including violent crimes and major property crimes such as arson. A recent survey of 140 juveniles [16 and 17 years old] who had been declared 'unfit' for juvenile court proceedings and who had been detained in Juvenile Hall and the Hall of Justice Jail (HOJJ) indicated that over half of those in custody had been charged with murder, with the balance being held on other serious charges, including attempted murder, robbery, rape and assault with a deadly weapon. During 1990, there were approximately 450 unfit juveniles who were referred to adult court for prosecution on felony charges. This represents a 120% increase in the past three years."[348]

As presently structured, the juvenile justice system not only gives inadequate attention to young offenders, it teaches them that crime has no consequences: The urgent need to deal with

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[347] District Attorney Ira Reiner, testimony before the L.A. County Board of Supervisors, November 26, 1991

[348] Report on the State of Los Angeles Street Gangs, November, 1991; p. 5

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felony cases, plus a philosophy that emphasizes the legal rights of juvenile offenders while de-emphasizing the practical need for deterrence, results in a system which sends children the same destructive message over and over again: You will never be held accountable. There are no consequences for breaking the law.

This holds true at every step through the system. The bizarre and guilt-free world of status offenses will be discussed below. Kids who commit slightly more serious crimes -- petty vandalism, for instance -- may well be arrested, but the first few times they're caught they are typically released on informal (654) probation. In other words, they're bawled out and sent home with a threat about what will happen next time. If a kid persists, or progresses to more serious crime -- misdemeanor theft, perhaps, or assault -- the matter may be referred for prosecution. But the courts typically send juvenile offenders home on probation (H.O.P.) the first few times they see them. While formal probation is, in theory, a more serious matter than informal probation, huge case-loads (150 high-risk juvenile cases per officer) tend to blur the distinction. H.O.P. is, to some degree, just one more empty threat.

At some point, the system turns with a vengeance. Crimes start to carry very serious penalties.[349] Before that happens, however, a child may commit a dozen low-rent crimes (plus those he's not caught for) without suffering any consequences whatever. While troubled children are most impressionable, still forming basic habits and attitudes, the message sent by the juvenile justice system could not be more destructive. It tempts kids to escalate their criminal activity until they reach a point of no return. That is why the District Attorney and others accuse the system of breeding habitual criminals.

There are differences of opinion about the consequences of inadequate deterrence in the juvenile justice system: Not everyone agrees that kids who are not stopped while they're spray-painting walls will inevitably move on to become armed robbers and murderers. There is research indicating that kids who experiment with crime take a cafeteria approach -- what they do depends on what's in front of them at the time. There is no regular movement toward more serious offenses. Many stay with petty offenses throughout their criminal careers; others begin almost immediately with felonies and never change; and there are all sorts of patterns in between. The only regular progression is in frequency. The longer kids stay with a criminal lifestyle,

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[349] Unlike lesser crimes, juvenile felonies draw an immediate response even for first offenses -- formal probation at least, more likely a stretch in juvenile hall or detention camp. The most serious offenders become wards of the California Youth Authority, which can hold juveniles until they are 25 years old.

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the more often they tend to commit crimes.[350]

Even those who dispute the "steady progression" analysis, however, agree that it is important to try to break the habit of crime early in life.

Los Angeles County should invest in providing appropriate help and deterrence at the front end of the juvenile justice system: The following recommendations, from the Interagency Gang Task Force, represent a general consensus within the gang prevention community:

> "The Task Force believes that it would be more cost-effective and socially desirable to provide a strong response to youth who have committed 'minor' offenses in order to prevent more serious criminal behavior in later life. This response must reinforce the concept of accountability....If more resources were directed at the front end of the process, there would be fewer juveniles arrested for more serious offenses. The Task Force does not advocate a reduction in enforcement actions directed at hardcore gang members. However, it does urge that adequate resources and penalties be directed at pre-delinquency and early delinquency."[351]

A first and relatively inexpensive step would be to make sure that the full range of existing resources -- both public and private -- are fully utilized in concert with the juvenile courts:

> "[The L.A. County Children's Planning Council should] develop a detailed, comprehensive strategy to improve coordination between the County's service delivery system for children and the juvenile justice system."[352]

There has already been some limited movement in this direction with the "Juvenile Justice Center" concept. This program, which brings all parts of the system together under one roof, is under consideration for expansion. There may eventually be one or more centers in each Supervisorial district.

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[350] Malcolm Klein and Cheryl Maxson made this point in their interview.

[351] Los Angeles County Interagency Gang Task Force, Report on the State of the Los Angeles Street Gang, November 1991, p.5

[352] Ibid., P. 13

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SUPPRESSION AS A GANG PREVENTION STRATEGY: STATUS OFFENDERS

State law on certain kinds of status offenders is a major barrier to effective gang prevention through juvenile justice reform: A theme that surfaced repeatedly in our interviews concerned the unfortunate consequences that have flowed from a change in state law on status offenses more than 15 years ago. Status offenses (often referred to as 601's in reference to the Welfare and Institutions Code (WIC) section where they are defined) are crimes only by virtue of the offender's status as a minor -- running away from home, etc. Some of these, especially truancy and curfew, have strong implications for gang prevention.

In 1974, the Legislature acted to prevent minors accused of status offenses from being incarcerated with older, more hardened criminals. Passage of the bill which accomplished this (AB 3121, the Dixon Bill, which became law in 1975) was one of the pivotal points in the history of gang prevention. All concerned agree that some reform was necessary. Unfortunately, the effect of the new law went far beyond the incarceration issue. It effectively and gutted all possibility of control and deterrence.

Although status offenses are still technically crimes in California, they have been effectively decriminalized for two reasons: It is no longer feasible to arrest most status offenders; and, as a result, it is no longer legal to detain them. For instance, the crime of truancy no longer consists of being out of school without an excuse. It consists of having been absent for three days without an excuse -- information that no police officer can have or obtain with reasonable effort. Without that information, there can be no arrest; and, absent an arrest, anything more than a very brief detention is illegal. Even in those rare cases where attendance information is available, the separate incarceration requirements make arrest and detention of truants utterly impractical for most police agencies.

Police departments have responded with policies that essentially seek to bluff their way through situations where they have no real sanctions available. Read in the light of today's gang problem, these policies seem unbelievably lax and inappropriate. Typically, the first time a police officer encounters a 14-year-old boy hanging around a street corner at 1:00 am on a school night, the officer may do no more than "counsel and release" the boy -- in plain language, bawl him out and tell him to go home. If this warning is ignored, on the second encounter the officer may not only "counsel and release" but threaten to arrest.

Finally, on the third encounter, the kid might be taken in to the station and his parents called. But at that point the whole process passes through the looking glass. Unless the boy

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is arrested, he cannot legally be forced to remain at the station; if he is arrested, he can't be confined in the station's normal facilities. So, in the end, if his parents can't be located, or decline to come pick him up -- and assuming that he hasn't already wandered out the door -- the officer is obliged either to drive him home or to return him to the street corner where he found him! No better scheme could be devised to ensure that police officers never even attempt to enforce the status offense laws.

No status offense poses more serious problems than truancy: "Truancy [is] the number one precursor to juvenile crime."[353] Few who work in gang prevention would argue with that assessment. Yet the *de facto* decriminalization of status offenses sounded the death knell for effective truancy enforcement in L.A. County. Truant officers are now a rarer species than the California Condor, and the regular police no longer have much incentive (nor much power) to enforce the school attendance laws. In 1977, in place of these vanished enforcement measures, a new structure was created -- the School Attendance Review Board -- which institutionalizes many of the well-meaning faults of the juvenile justice system.

S.A.R.B.'s were designed as multi-disciplinary bodies that would treat each truant as an individual and design a specific plan for keeping him or her in school. The system was mandated by state law but the legislature no longer funds it, so the S.A.R.B.'s survive now on local funds and local initiative. That they survive at all, despite their poor performance, is testimony to the desperate need for some mechanism to deal with truancy. Many capable and committed people serve on S.A.R.B.'s, and a few manage to have considerable impact. As a whole, however, the system is a mess. It is cumbersome, slow and utterly without teeth. Schools do everything they can to avoid being caught up in its coils, using it as a last resort for the most incorrigible cases -- precisely the kinds of cases the system is least equipped to deal with.[354] Truants have a better chance of

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[353] Dr. Stuart Gotthold, Superintendent of the L.A. County Schools, summarizing research on student behavior in the county schools, in testimony before the L.A. County Board of Supervisors, November 26, 1991

[354] To say that schools try to avoid the S.A.R.B. system is not to say that they make no efforts to fight truancy. They certainly do. L.A.U.S.D., for example, has Operation Stay in School (O.S.I.S.). Many other districts make equivalent efforts. However, the schools also have a financial incentive not to take formal action against truants because doing so means documenting that they weren't in school on at least three occasions -- which

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getting sunstroke at the Winter Olympics than of experiencing swift, appropriate action that will deter future misbehavior.

The District Attorney's efforts to put teeth into the S.A.R.B. system are swimming upstream: In 1989, the D.A.'s Office began its Truancy Mediation program. The goal was to empower the S.A.R.B. system by adding a legal sanction at the end of the process. The program, which involves a series of hearings which can culminate in a Juvenile Court filing pursuant to WIC section 601, has been extremely well-received by school authorities and by gang prevention activists. It is probably the best that can be done within the limits of current law. But Truancy Mediation cannot make up for the basic inadequacy of the system. Although the hearings and the threat of legal action both serve as useful deterrents, the practical effect is to add another lengthy process to the end of a system that already raises delay to an art form. In many cases, the school year ends (thus terminating the case) long before the process ends with court action. The D.A.'s office has conducted 1666 hearings (out of 1881 cases referred) to date. Juvenile court petitions have been filed in 556 cases, resulting in probation for 208 youngsters (this does not include informal 654 probation). Eighteen juveniles have been cited for contempt for violating the terms of probation, which usually results in five days of confinement in juvenile hall.

The District Attorney, in cooperation with the L.A.P.D., also runs the Truants of Probation program. L.A.P.D. still assigns a limited number of patrol car units to find truant youngsters and return them to school. Under this program, those officers also check to see if the truants are on probation. If so, the cases are turned over to the D.A.'s Juvenile Division, which can bring acts of truancy (which are usually violations of the terms of probation) to the attention of the juvenile court. Once again, the program is highly-rated but its practical impact is limited. Given the lack of sanctions for regular truants, L.A.P.D. has little incentive to make a major effort; it must mine a lot of dross to find a few nuggets on probation. In addition, since the recourse is to the overcrowded juvenile courts, where punishment options are limited and minor offenses tend to be de-emphasized, there is no guarantee of consequences even for those truants caught violating probation.

Los Angeles County and City should take a united and very public stand to urge the Legislature to reform the law on truancy and curfew: It is hard to find a law enforcement official, or a

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costs the school state Average Daily Attendance (ADA) funding. This has long been a fundamental flaw in the S.A.R.B. process. It may be corrected by a bill the legislature passed last year which requires more thorough and timely attendance reports.

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local elected official, who will defend the current state of the affairs with regard to status offenders. The problem is in Sacramento, where key legislators on key committees have resisted reform for philosophical and ideological reasons. It will take strong political pressure to make any meaningful change. The county's elected leaders, and its top law enforcement officials, are the only ones in a position to mount such pressure. They should do so aggressively. With more than 30% of the state's population, and a huge delegation in the Legislature, a concerted push by L.A. County could have great impact on a non-monetary issue like this one.

Los Angeles County should develop specific legislation to change state law and a blue-print for implementing reforms: One reason stronger action has not been taken before now is that no one is really prepared for the consequences of success. It is far easier and cheaper to lament the inability to act than to act. If the law on status offenders is changed to permit more local flexibility, Los Angeles will need a plan, adequate facilities and considerable staff for handling these youngsters.[355] Police and schools will face heavy demands. Some agencies will be required to subordinate their own interests to a larger united effort. With so many other pressing needs (most of which are less complicated) it isn't surprising that general reform is no agency's first priority. If it is to become a county priority, as it should be, that decision must be made by the Board of Supervisors (perhaps in concert with the L.A. City Council).

The county already possess at least one body for addressing such issues: the County Criminal Justice Coordinating Committee. At one time or another, the CCJCC has considered all these issues separately and in tandem. With clear direction and firm deadlines, it could be instructed to develop specific legislation to change the law on status offenders (and to make other necessary changes in the law governing juvenile justice). CCJCC could also be charged with developing a coordinated plan and a time-table for implementing the necessary reforms in L.A. County.

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[355] Other states and cities have developed workable arrangements. For example, Oklahoma City has established Truancy Habits Reduced, Increasing Valuable Education (THRIVE) centers. The program, which is aimed at truancy rather than curfew violators or other status offenses, is credited with cutting drop out rates by 50% and reducing absenteeism to about 4% per day. This is a fairly simple program that depends heavily on parental support. There are undoubtedly other, more sophisticated models out there.

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PARENTS: THE KEY TO EFFECTIVE GANG PREVENTION

Parental accountability is essential for effective reform of the juvenile justice system and the law on status offenders: In making plans to reform the system, full weight must be given to the need for parents to take responsibility for their own kids. No system of juvenile courts, probation and incarceration can make up for a lack of appropriate parental supervision. One of the principal goals of the juvenile justice system must be to stimulate such supervision by holding parents accountable for their children's actions.

Both the District Attorney and the L.A. City Attorney have experimented with actions against parents under PC 272 (contributing to the delinquency of a minor): The District Attorney has filed one such case against a mother whose child was repeatedly absent from school. The woman was convicted and placed on probation. Appellate action is pending. Meanwhile, a similar action brought by the City Attorney's Office to hold a mother accountable for her child's gang activity has resulted in an adverse appellate ruling.

Until these cases are finally resolved, it is impossible to know the outer limits of parental responsibility under the law. The cases have not been pursued because of any desire by prosecutors to jail large numbers of parents. They have been pursued because the threat of jail time is sometimes necessary to force parents to take responsibility for their kids. Even if the use of PC 272 proves impractical, however, both agencies have shown that the threat of lesser prosecutions can still be effective.

Truancy Mediation and Family Diversion are promising methods for ensuring parental responsibility: Parents as well as students can be referred for prosecution under the D.A.'s Truancy Mediation program.[356] Thus far, 60 parents have been fined and placed under court orders. A much larger group of parents -- approximately 700 -- have been referred to the City Attorney's Parenting Program through a Family Diversion project run in conjunction with the L.A.P.D. and the Youth Advocacy Program of the city's Community Development Department. Status offenders and first time juvenile offenders are referred to a variety of programs, while their parents are required to attend parenting

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[356] The action is for violation of the Education Code's requirement that parents send their children to school. Unfortunately, from a deterrence perspective, the penalties -- which come only at the end of an exceedingly drawn out process -- are slight: a $100 fine for the first offense and $250 for the second. Typically a court order goes with the fine. Only if the order is violated can parents be jailed for up to five days.

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classes. If either parent or student fails to follow through, the City Attorney can pursue the original charge.

Teaching parenting skills is an increasingly popular idea, but one that must be approached with great care: The Family Diversion/Parenting Program has strong support among gang prevention activists and the approach has begun to spread into other areas. For instance, Soledad Enrichment Action (SEA), which was founded by Brother Modesto Leon in East Los Angeles, has long had a special interest in families and parenting. SEA has developed an active parent education program and has begun to have success in getting the courts to mandate that the parents of juvenile offenders attend. Similar efforts should be encouraged throughout the county, but care must be taken to ensure that the parenting skills being taught -- and those doing the teaching -- are connected to the local community. Otherwise, the classes can easily degenerate into little more than smug, culturally irrelevant, middle-class preaching.

Parental accountability should be built into every aspect of the county's response to juvenile crime: Commendable though current efforts may be, the numbers of parents reached are pitifully small compared to the need. In a county with 150,000 gang members, and at least that many regular status offenders, we are still measuring success in terms of dealing with hundreds of parents each year. The only way to improve performance is to consciously focus on parental responsibility at every step of the juvenile justice/status offender process. As it explores reforming the law and the system, Los Angeles County (perhaps through the CCJCC) should be alert for every opportunity to build parental accountability into the process. For example:

The Interagency Gang Task Force has recommended that "It should become a routine police procedure to question and observe parental attitudes and responses during every juvenile detention."[357] This would permit quick recourse to parenting programs, where appropriate -- or to parental-contract types of prevention programs along the lines of the Probation Department's GAPP program.

Some have suggested citations and fines as an attention-getting, mid-level sanction -- an escalating system of truancy fines, for instance, with a top fine equal to the amount of ADA funding that each day's absence costs the school; or fines that cover the cost of picking up and holding youngsters at special status offender processing centers; or requiring that parents appear in person to pick up their children at the risk of fines or jail.

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[357] 1991 Report, Op. Cit., p. II

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Whatever set of parental sanctions is developed, it must be applied early rather than late -- well before kids are out of control. Otherwise, the system will be reduced to the futile act of punishing parents who no longer have any hope of changing their children's behavior.

Returning juvenile cases to the court nearest the child's home is an inexpensive reform that would strengthen parental involvement: This traditional practice was abandoned during the 70's. Now cases are tried where the crimes are committed. This is more convenient for witnesses, officers and D.A.'s in case of a trial; but very few of these cases actually go to trial. Meanwhile, disposing of the cases away from the juvenile's home neighborhood makes it more difficult for parents to appear; it removes cases from those courts with best access to local programs that could help juveniles and their parents; it also means that children who commit multiple offenses are less likely to come before judges who have seen them (and their parents) before. The Juvenile Justice Centers are a move in this direction. If they are not expanded countywide (or even if they are) Los Angeles should return to the old policy.

School-based gang prevention programs have great potential for triggering parental involvement: This point is so obvious that it does not require much elaboration. It is noteworthy, however, that most successful school-based programs (in terms of changing student attitudes) already stress parental involvement. The difficulty is not in the concept but in the execution. Across the board, program administrators acknowledge the extraordinary difficulty of getting parents to take action. One even went so far as to say that, as an obstacle to success, the need for more funding is minor compared to the reluctance of parents to get involved.

There is no need to repeat here the list of factors that inhibit parental involvement in neighborhoods and schools where gang activity is prevalent. Whatever the reasons, the plain fact is that parental involvement tends to shrink as the need for it grows, and that the children of those parents most willing to step forward are usually the ones least in need of parental support and direction. One great advantage of school-based prevention programs, and one reason to stick with them even if statistical evaluations fail to confirm their impact, is that the school setting offers the best chance of triggering parental involvement.

School-based prevention programs can also be used to identify high-risk children, and their families, for further intervention: When a school-based prevention program like GAP is completed, for instance, there is generally a handful of youngsters -- perhaps 5% of the total -- who still have positive attitudes toward gangs and drugs. These youngsters are likely to be prime recruits for

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gangs as they grow older, and to exert significant influence on their more impressionable peers. Clearly, it would be desirable to target that handful of kids, as well as their parents, for intensive attention.

An alternative strategy (or a complementary one) would be to focus on children with family backgrounds that put them at high-risk for gang membership: children of teen-aged parents; kids with siblings and/or cousins who are gang members; kids with parents who are gang members, etc.

Family intervention in the first years of school has great potential as a gang prevention strategy: If an attempt is to be made to identify potential gang members, a key question is: How early to start? Several interviewees maintained that kids headed for serious trouble could generally be spotted by the time they are in second grade. This view, which is increasingly common, has generated proposals to screen for at-risk kids in the first years of school. Advocates believe this strategy can be equally useful in preventing drug and alcohol abuse as well as other forms of delinquency. The idea is that family intervention should begin as early as possible -- before the street culture begins to exert its attraction, before school becomes a place associated with failure and discipline, and while parents are still at the peak of their power vis-a-vis kids. There is a very lively research and programming effort devoted to the use of "risk factors" to identify children with high potential for delinquent behavior.[358] But there is no proof as yet that this strategy will have any impact on gangs.

A focus on juveniles and their families is bound to raise sensitive legal issues: Targeting parents is no miracle cure, nor is it without problems. In addition to the legal uncertainty over the use of PC 272 against parents, many other difficult issues will have to be resolved if Los Angeles is to focus gang prevention efforts on parents. Some will explore the limits of a parent's legal and economic responsibility for a child's actions. Others will involve privacy issues.

For instance, what exceptions, if any, should be permitted in the rule of confidentiality that surrounds juvenile proceedings? In the interests of effective gang prevention, should schools know that a student has gang connections? Should

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[358] The best known researcher is this field is probably J. David Hawkins of the University of Washington. Thus far, he reports success in lowering aggression among at-risk children, and improving the parenting skills of their parents. See "Delinquency Prevention Through Parent Training," published in Children to Citizens: Families, Schools, and Delinquency Prevention, Vol. 3 (New York: Springer-Verlag, 1987); P. 187

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local law enforcement know?

Even tougher issues are raised when families are targeted in advance of any criminal activity. Is it legitimate to use children's responses in school-based program to target their parents? If the family resists help, what recourse should there be? Should local law enforcement and/or probation authorities be informed of a child's persistent predisposition toward gang activity? If so, by whom and by what authority? The earlier attempts to target children -- and their parents -- begin, the harder these questions are to answer.

All gang prevention programs considered for public funding should be evaluated on their effectiveness in reaching parents: Despite the delicate issues involved, it is clear that any workable long-term prevention strategy must include a focus on parents. Indeed, most of the effective programs discussed to this point -- whether school-based, job-based, or suppression-based -- already have strong relationships with parents built in. This is no accident and it should be reflected in public policy -- not only as a goal, but as a factor in evaluating prevention programs for public funding. With parents actively involved -- and fully accountable -- almost any kind of prevention effort has a fighting chance of success. But prevention without parents is a dicey, frustrating business.

When targeting parents, it is important to distinguish between gang <u>prevention</u> and gang <u>intervention</u>: All the efforts discussed above are aimed at the parents of pre-gang youth or, in some cases, kids on the margins of gangs -- "wannabe's" and the like. None are aimed at kids already committed to the gang lifestyle. At any age, and at any stage of gang involvement, there is value in programs that make sure parents know what their kids are up to.[359] But there is no evidence that parenting education, punishing parents, or any other program aimed at parents will succeed in pulling kids out of gangs. Indeed, those with

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[359] An extraordinary number of parents simply do not know that their kids are involved in gangs. Some of this is probably a case of not wanting to know. But it is very easy for teenagers to fool parents who are working long hours and not paying close attention -- and perfectly possible to fool those who are at home and alert. A key feature of successful community-based policing programs (like the one in Reno) is letting parents know immediately when their kids begin hanging with gang members. Giving parents the bad news can be very unpleasant and often provokes angry denials. But parents who are confronted with the truth can sometimes take drastic action to save their children. On the other hand, not even the most determined parents -- like those who pull up stakes and move to a new town -- can be sure of success when their sons are committed to the gang.

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experience in this area believe that gang members are generally beyond parental control -- a fact which some research confirms.[360]

SUPPRESSION AS A GANG PREVENTION STRATEGY: PROBATION

Probation has the potential to play an important role in gang prevention: Prior to 1981, the Probation Department had an extensive prevention program for juveniles who were showing signs of trouble but had not yet gotten into serious difficulties with the law. After that program was abolished (in the wake of Proposition 13 cutbacks), Probation was essentially out of the prevention field for almost a decade -- until 1988, when the Board of Supervisors reopened the door by funding the Gang Activities Prevention Program (GAPP) on a limited basis. The current surge in gang activity began after the old probation prevention programs were ended. Probation Director Barry Nidorf, for one, believes that was a case of cause and effect.[361]

Whether or not Nidorf is correct, it seems evident that Probation has the potential to be effective in gang prevention. For one thing, there is the tantalizing, though inconclusive, success story in Philadelphia with a prevention program that was heavily integrated with probation. For another, there is the common-sense observation that when a kid begins to slide off the straight-and-narrow path, his first point of contact with the criminal justice system is tremendously important. If that's the critical juncture, then probation must play a critical role, because probation is generally one of the first authorities outside the home which tries to deal with a delinquent.

The initial evaluations on GAPP look good and the program should be considered for expansion within the construct of target area community mobilization strategies: The GAPP program is very small compared to the target group of elementary and junior-high students who show early signs of gang involvement. Roughly 700 youngsters are currently involved in a program of supervision that includes contracts with parents, school and home visits,

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[360] Jeffrey Fagan, "The Social Organization of Drug Use and Drug Dealing Among Urban Gangs," Op. Cit., p. 657

[361] Actually there was quite a gap between the supposed cause and the supposed effect. The current statistical run-up in gang violence began in 1985 or in 1986 (depending on how you view the Olympic lull in 1984), four or five years after Probation got out of the prevention business. It is certainly possible that this reflects the maturation of a generation of kids for whom no preventative measures were taken. On the other hand, the prior peak in gang violence (1979-80) occurred while prevention was still a going concern at Probation.

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recreation and other activities. Not all the early reviews were positive.[362] However, a preliminary evaluation of the first three years of GAPP is now available which "shows that the student grade point averages increased, that there were reductions in drug and alcohol use, recidivism and gang involvement. Seventy-one percent of the juveniles supervised in the GAPP program were no longer involved in gang activity by the end of the probation period."[363]

Assuming that the GAPP program continues to demonstrate effective results, it should be considered for expansion. Since the target group is so enormous, it will probably never be possible to fund full service. A logical alternative is to expand the program in step with community mobilization efforts throughout the county -- including the Target Areas strategy being implemented by CYGS. Such expansion, however, should be governed by a careful comparison of the costs and benefits of providing equivalent services through community based organizations (see below).

The County should fund a short-term experiment to determine the costs and benefits of "aftercare" prevention for youngsters released from juvenile detention camps: While many believe it is too late to focus on prevention once youngsters have reached the incarceration stage, there is some evidence to the contrary -- at least for juveniles. In El Monte, "Project Return" has been judged successful (by its county funders) in cutting the rate of recidivism among juveniles returned to the San Gabriel Valley after detention by the California Youth Authority and the Probation Department. The program focusses on the first six months after release. Police are notified that the juvenile is returning to the community, contact is made with his parents and the local Boys Club provides "aftercare" services which include:

> "...pre-release screening and assessment, development of individualized case plans, school re-enrollment, and/or employment assistance, social adjustment counseling and other supportive interventions deemed advisable. Intensive Services are offered during the

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[362] Spergel and Curry report that the El Monte GAPP program was not judged effective in its first year of operation. Parents of gang youth in the middle grades referred by schools are not apparently responding to counseling and referral efforts. "Parents usually go into denial and the program has had few successes so far." Community and Institutional Responses to the Youth Gang Problem, Op. Cit., p. 126

[363] Barry Nidorf, Director of L.A. County Probation Dept., in testimony before the Board of Supervisors on December 3, 1991

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first month."[364]

The Probation Department is a strong believer in aftercare. It is yet another probation/prevention effort that was abandoned in the early 80's. The Boot Camp program (which is now facing budgetary oblivion) is the only current camp with a strong built-in aftercare program. Boot camp is three times as effective as other camps in preventing recidivism, a record that Probation believes is partially due to aftercare. The Department's leaders also believe that the recidivism rate for regular detention camp alumni (around 50%) could be cut substantially with aftercare.[365]

The County cannot afford to ignore the possibility of achieving significant reductions in recidivism among gang members and other juvenile offenders. It should explore the feasibility, costs and benefits of providing aftercare for those released from regular detention camps. Specifically, the Board of Supervisors should fund a carefully controlled one-or-two-year experiment using control groups to compare results achieved by the Probation Department and by private providers. Obviously, this proposal will be moot if all detention camps are closed for budgetary reasons, as has recently been proposed.

Public officials should remain open to the possibility that gang prevention activities might be better handled through community based organizations than through law enforcement: It is noteworthy that the Probation Department, when it discusses aftercare, does so in terms of a service provided by Probation. Yet there are other alternatives -- some of which, like Project Return in El Monte, are already in operation and receiving public funding. This phenomenon is not unique to aftercare nor to Probation. There is a general tendency among public agencies to prefer the prevention activities they provide directly and to discount those provided by community based organizations (or by other agencies). Often there are excellent reasons for this preference, but not always.

Some gang experts do not believe in law-enforcement sponsored prevention programs: A substantial minority of those interviewed for this report expressed frustration with attempts to institutionalize gang prevention programs and pull them within a law enforcement orbit. Several voiced reservations born of a strong feeling that such programs can only be effective if they retain a strong community flavor. Programs imposed and

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[364] Application for Funding from the County Justice System Subvention Program 1988, quoted in Spergel and Curry, Op. Cit., P. 111

[365] Nidorf testimony on December 3, 1991, Op. Cit.

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controlled from outside provoke hostility and permit a community to avoid taking responsibility for its own problems. This argument was offered not only against law enforcement agencies taking over prevention but also, to a lesser extent, against private agencies growing too big and moving outside their areas of origin.

Others believe that law enforcement is not well-equipped to do this kind of work and should leave it to those who are. In their view, the reason for the expansion of law enforcement prevention activities is simply that L.A.P.D., L.A.S.D. and other agencies are very powerful players in the public funding process -- so powerful that they can insist on a role even where none is appropriate.[366] They also believe that politicians are more willing to risk money on "soft" activities like prevention if they come with the protective coloration of law enforcement sponsorship. Finally, there is a feeling that public funding agencies hold law-enforcement prevention programs to looser standards of accountability than they apply to programs sponsored by community-based organizations.

Among the programs challenged on this basis were DARE and SANE. Both programs generally received strong support; in part because they were seen as the only way to get outside funding for prevention in the schools; in part because they were seen as a useful way of bridging the gap between police and community. There was minority point of view, however, which maintained that police representatives can never reach that segment of the community most at-risk for gang membership, and that an equivalent public investment in similar work by community-based organizations would produce a much bigger payoff. There is no currently no way of proving or disproving that claim. However, in light of the disappointing evaluations of DARE -- and of the current controversy over the fairly large number of expensive uniformed personnel assigned to DARE -- it is worth considering.

Policy-makers should permit both public and community-based agencies to compete for roles in publicly sponsored prevention efforts: When contemplating public expenditures for systematic prevention programs with specific goals, policy-makers would be well-advised to begin by funding experimental versions of the program run by both public and private providers -- with careful controls and thorough outside evaluations. Competition in these areas might save public funds and improve service -- if only by

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[366] These feelings were not unique to CBO's. Some non-law enforcement governmental agencies had similar complaints. In recreation, for instance, it was suggested that resources devoted to police athletic leagues might be better used to strengthen and/or to provide adequate security for organized public recreation programs in gang infested communities.

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encouraging public agencies to perform at the highest level. Drug and gang prevention in the schools would be good examples of programs that should be evaluated in this way; so would aftercare for those released from camps; so would parental effectiveness training; so would pre-gang intervention efforts like those in GAPP.

As time and resources permit, volunteers from law enforcement agencies -- including the District Attorney's Office -- should also be encouraged to join in community-based prevention efforts: A number of truly remarkable law-enforcement-sponsored prevention efforts are under way in Los Angeles County. Here are just two examples: Jeopardy, a pilot program sponsored by L.A.P.D. in the Foothill and Southeast areas, targets kids 10-15 years old who are at high-risk for gang activity with a strong program of counselling, parental involvement and intervention; and Operation COURAGE, sponsored by the Industry Station of L.A.S.D., has organized a wide-ranging anti-gang program of recreation, employment and education. One of the things that makes programs like this work is that they benefit from the built-in strengths of their sponsoring organizations.

Especially with the move toward community-based policing, it is important that law enforcement agencies continue to participate in local gang prevention efforts of this kind -- programs that build on and enhance community efforts; that rely on large amounts of volunteer time; that operate mostly on private funding, or with minimal support from public budgets; and that rely for their impact on the participation of law enforcement professionals. It is also important that such programs be consciously integrated into united, non-competitive prevention efforts in each community.

SOCIAL INTERVENTION AS A GANG PREVENTION STRATEGY

Social intervention encompasses a whole range of activities intended to help youths who belong to gangs (or are headed in that direction) make intelligent choices and stay out of trouble -- street work, crisis intervention, guidance, values instruction, conflict resolution, group and individual counseling, recreation, family case work, delivery of social services, etc. This style of prevention grew out of a 1940's school of thought which defined the gang as a natural phenomenon, an institution which met many of the needs of young people in socially disorganized neighborhoods. By this reasoning, gangs were not inherently bad. They were more like a phase that young people went through. Therefore, the goal of prevention should not be to destroy gangs (an impossible task) but to make sure that gangs and gang members didn't get into trouble -- or, in the jargon of a later era, to make sure they channelled their energy in positive rather than negative directions.

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The first prevention programs founded on the "youth outreach" model -- including L.A.'s Group Guidance Program -- were dismal failures, often making gang problems worse: Early attempts to use the social intervention model focussed on the need to "reach" youths who were isolated from the normal channels of communication and social control -- school, church, family, government, etc. This was done through "street work." Workers (typically young men) trained in group dynamics took on the task of befriending and serving their counterparts in the gang. Street workers tried to deflect violence and to channel group energy into sports, dances and other harmless activities. They also served as guides to educational and employment opportunities and as advocates for youths dealing with impersonal institutions. It was important, in terms of maintaining legitimacy with the gang members, that this work be done independently of the police and other institutions gang members perceived to be hostile.[367]

As it turned out, the approach had a very serious flaw: By dealing with gangs as groups, and treating them as legitimate entities, street workers unwittingly made gangs stronger. The sense of group cohesion was heightened. Youthful identification with the gang increased. In some cases, the street workers themselves seemed to be pulled into the gang orbit. In New York, Chicago, Boston, and Philadelphia such programs were found to be ineffective or counterproductive and were abandoned.[368]

The Los Angeles version was the Group Guidance Project, sponsored by the L.A. County Probation Department from 1961-64. Street workers tried to change the values of gang members through counselling, parental involvement and group activities. The program was judged a failure and discontinued. A thorough evaluation published several years later found that the "project was clearly associated with a significant increase in delinquency among gang members." Those gangs with the greatest exposure to Group Guidance also exhibited the greatest increases in delinquency and, most ominous of all, the upward trend was steepest among the youngest kids.[369]

In the 70's variations on the "youth outreach" model -- including GVRP in Los Angeles -- used gang leaders to combat gang violence: The next broad-based development in social intervention was a

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[367] Spergel, et. al., Youth Gangs: Problem and Response, Op. Cit., pp. 146-50

[368] Ibid., pp. 157-161

[369] Malcolm Klein, From Association to Guilt: The Group Guidance Project in Juvenile Gang Intervention; Youth Studies Center at U.S.C. and the L.A. County Probation Dept.; Los Angeles, California; 1968; pp. 291-92

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move toward gang-staffed prevention programs. These programs attempted to use natural leaders to control and prevent violence -- through gang "summits," for instance, or by mediating conflicts. In general, these programs sputtered out in failure all over the country. The notable and extremely influential exception to this rule was the Crisis Intervention Network (CIN) in Philadelphia which was discussed earlier.[370]

Once again, the national trend had parallels in Los Angeles. The *Federacion de Barrios Unidos* (Federation of Youth Gangs) and its Gang Ambassadors program ran a campaign to "End Barrio Warfare" in East Los Angeles in the early '70's; indeed, some claim that this was the model for CIN in Philadelphia. As the key leaders moved on to other things, the Federation faded away but not before leaving an institutionalized legacy. In 1976 the California Youth Authority was funded to operate the Gang Violence Reduction Project (GVRP), which continues its work in East Los Angeles today.

The GVRP program has been highly controversial at times because of its reliance on gang members as staff. It was evaluated in 1981, and again in 1984, and credited with reducing gang homicides in its area of operation. Of course, that period (1980-84) also saw a general decline in gang homicides throughout the county; more recently, gang violence has risen in the service area, just as it has in the rest of the county. In the last few years GVRP, like many others in this field, has devoted more effort to prevention activities for pre-gang youngsters and less to crisis intervention. Though GVRP is generally regarded as an effective, well-run program, the state's current budget crisis has forced a major reduction in staffing and service area.

The 80's brought new social intervention efforts -- like CYGS -- patterned after the perceived success of Philadelphia's CIN: In the late 70's, despite the on-going "gang summit" approach in East Los Angeles and elsewhere, gang violence began to rise rapidly. As mentioned elsewhere, Los Angeles County responded by creating a number of new anti-gang institutions. One of the most important was the Community Youth Gang Services program (CYGS). Like many others around the country, the creators of CYGS were heavily influenced by CIN's apparent success in reducing gang violence in Philadelphia. A key difference between CIN and other youth outreach programs was the heavy involvement of law enforcement (probation officers). CYGS was not a direct copy of CIN but it, too, sought to bring law enforcement and crisis intervention workers into an effective alliance. The program was viewed as a sort of mobile strike force of street workers who would gather intelligence on potentially violent situations and

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[370] Spergel, et. al., Op. Cit., pp. 163-70

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help keep the peace by defusing gang crises on the streets. CYGS would be technically independent from police, prosecutors and probation but would join them in a united attack on gang violence.

Like GVRP, CYGS went through several periods of crisis caused by lax supervision of gang members on its staff. In recent years, however, CYGS has cleaned up its act and emerged as the pre-eminent social intervention/gang prevention agency in Los Angeles -- efficiently run, aggressive in pursuing new anti-gang strategies, receiving good evaluations, and enjoying strong support from key policy-makers. In the process, CYGS has also begun to compete for funding with other kinds of prevention providers, including law enforcement.

Ironically -- and, again, like GVRP -- the agency has tended to de-emphasize its original role of crisis intervention in recent years.[371] There is also a widespread perception that the working relationship with law enforcement, and particularly with probation, is no longer quite so cooperative as it once was.

The social intervention model continues to flourish, despite a checkered history, because it provides some essential tools: In general, the record of social intervention as a gang prevention strategy is unimpressive. Those involved with providing services can -- and do -- point to many individual success stories. But when the quest for results moves beyond anecdotes, the evidence is damning. Two parts of the strategy in particular have proven worse than worthless: group programming for gangs, which has been shown to strengthen gang cohesion; and counseling -- a technique which was developed to deal with emotional conflicts and has been misapplied in attempts to change attitudes and behavior. Indeed the heavy emphasis on counseling in most diversion programs probably accounts for the general ineffectiveness of diversion.[372]

Despite this discouraging record, social intervention programs continue to play a huge role in gang prevention. As noted above, most diversion programs are based on this approach; so are old, established groups like GVRP and CYGS, which originated in East Los Angeles; and so are newer groups that have formed to serve the Black community, like Sey Yes, and the Community Youth Art and Sports Foundation. Why has the social intervention model proven so resilient? One reason is that it

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[371] Director Steve Valdivia prefers to say that CYGS has expanded its efforts. Whatever the formulation, the result is the same: CYGS is no longer exclusively, nor even primarily, a crisis intervention agency.

[372] Interview with Malcolm Klein and Cheryl Maxson

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prescribes some specific, common-sense responses for difficult situations. It offers tools that neighborhoods need. Some examples:

-- Recreation programs are recommended almost universally by those who work in local gang prevention. Group recreational activities -- from sports to hobby clubs to dances -- have long been staples of the social intervention model. Parents, teachers, neighborhood leaders are all adamant about the need for such activities. Yet time and time again experts have proven that programs built around them are ineffective, even counterproductive, at reducing gang violence.[373]

One reason for this contradiction is that the two groups are pursuing different goals. The evaluators are asking whether gang-based recreational activities achieve any long-term transformations: Do they weaken gangs? or turn their members away from delinquency? The answer is no.

But the proponents of recreation generally have less ambitious goals. They are looking to fill those idle hours that seduce adolescent boys into trouble, and this is something that recreation programs can do very well. At the least, they can keep older gang members busy during prime-time-crime hours (as with midnight basketball leagues). At the most, they can keep marginal boys too busy for gangs, or give them an excuse not to join[374] (as with youth soccer leagues and boxing clubs).

While it remains true that neighborhood-based team sports can inadvertently build neighborhood/gang/group identities,

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[373] One of the most widely cited examples took place in Milwaukee. Recreational programs built around break dancing and drill teams provided the basis for gang formation in a city where none had existed before. John Hagedorn chronicled this development in his book People and folks: Gangs, crime and the underclass in a rustbelt city; Chicago; Lake View; 1988

[374] The instinct, common to many parents, that spare time should be filled with organized activities is a sound one. Indeed, it may be the single most important factor in the success of most prevention efforts. In other words, what the kids do in a program may be less important than that they are spending a big chunk of time in the program instead of on the streets. The L.A. County Schools, after evaluating many school-based prevention programs, finds that "the single most important factor that really works in gang reduction is longer school days." Testimony by Superintendent Stuart Gotthold before the Board of Supervisors, November 26, 1991.

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experienced recreation leaders often take specific steps to avoid that danger. They may ban all displays of gang signs, colors or paraphernalia. They may insist on teams that mix kids from different gangs. They may assign one or two gang members to teams dominated by non-gang youth. They may do all these things and more. What they do not do is permit teams to form along gang lines and overtly reinforce gang identity. In this way, they try to make recreational activities into something quite different from the older, discredited group programming models.

-- When crisis intervention teams are needed, there are few effective alternatives. In gang neighborhoods there are many potentially dangerous situations -- funerals, picnics, sports events, etc. -- where it is important that someone be available to head off violence. Such work does nothing to fundamentally change the gang situation. Its goals are short term ("keep this place from exploding today") rather than systemic ("change kids lives and get them out of the gang"); but it is no less important because of that. Many neighborhoods would consider preventing a shoot-out at the big football game at least as important as any other prevention activity, and a great deal more urgent. Sometimes a priest or a minister can perform this function; sometimes the police can do it. But the work can be dangerous, it requires some knowledge of the players and some standing with them, and there are times when a police presence is not ideal. In many cases there is just no substitute for experienced gang workers from an agency like GVRP in East Los Angeles, or Sey Yes in South Central, or CYGS virtually anywhere in the county.

-- Another benefit of street workers is that they can help law enforcement spot important changes and trends in the gang situation. Leaders of Community Based Organizations uniformly describe the police as months behind the curve of what's happening on the streets. They all maintain that police effectiveness could be greatly improved by regular consultation with the CBO's. Interestingly enough, however, most of these groups already claim to have good working relationships with the police. When pressed, they could not readily explain why this valuable, up-to-the-minute information was not being transmitted. One was candid enough to admit that he regarded such a service as technical assistance which should be purchased.[375]

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[375] It should be remembered that close cooperation between street workers and the police is a tricky business. At the least it can involve a loss of credibility and a drying up of sources of information. At the worst, it can be extremely dangerous. No agency can afford to be perceived by gang members as a part of

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Street-level crisis intervention is becoming a scarcer commodity at a time when many believe the need for it is rising: A frequently expressed concern among interviewees was that groups like CYGS and GVRP, who do crisis intervention very well, are no longer concentrating primarily on that service. The agencies involved deny that they are de-emphasizing crisis intervention. But it is indisputable that they devote increasing shares of their energies to other activities. There are several good reasons for doing so:

-- First, crisis intervention is a difficult and dangerous job that gets harder all the time. Recruiting, training and being responsible for people who work the war zones of modern day Los Angeles is no task for the faint of heart.

-- Second, crisis intervention is a defensive strategy that does little to change the underlying problems. That makes it unrewarding work, prone to stress and burn-out. The leaders of crisis intervention agencies are well aware of the current thinking in gang prevention, which aims at providing multiple services in a coherent way within a single neighborhood. They move in that direction for the same reason that everyone else does: They hope it will work.

-- Finally, there are frequent changes of fashion in gang prevention funding. Crisis intervention was hot a decade ago (and may be again). Community mobilization and other prevention strategies are hot right now. Agencies that must struggle to survive, literally living and dying on government and foundation grants, will inevitably move in the directions their funders move. The best-run among them will strive to make sure they have fingers in every pie, so that whichever way the fashion turns, their agencies are in line for continued funding.

The trend in Los Angeles is clearly away from intervention efforts aimed at gang members and toward early intervention and prevention: As mentioned earlier, long experience has teaches that those relatively few young people who progress to hardcore gang membership are essentially beyond the reach of well-meaning, organized attempts to save them. Individuals can and do find salvation, but no group or program has demonstrated an ability to perform this miracle in large numbers. In Los Angeles, fewer and fewer prevention programs make the effort. Older, hardcore gang members are more and more the province of the police. Gang prevention is a booming business, but one increasingly focussed on the young.

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the police intelligence network.

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Community centers, like Wilmington Teen Center and El Centro del Pueblo, often have recreational and educational programs that serve gang youth as well as non-gang youth. CYGS and similar agencies still provide crisis intervention. Parishes and dedicated individuals, like Father Gregory Boyle, still strive to minister to young men in gangs. And many job training/employment preparation agencies make an effort to serve gang members. But the trend in prevention, even among agencies founded on social intervention, is inexorable: Funding is moving more and more toward early intervention. So is government-sponsored prevention strategy. Meanwhile, the streets are getting meaner, gangs are better armed, the old semi-civilized traditions are weakening, and working with older gang members gets more dangerous by the day. The result is a two-tiered strategy: Social agencies concentrate on prevention and intervention for younger youths; law enforcement concentrates on suppression and incarceration for older ones.

There is reason to hope that a combination of early intervention and law enforcement pressure may cause gangs to shrink: Twenty years ago, the author of the scathing evaluation of the failed Group Guidance Project, Professor Malcolm Klein of U.S.C., conducted a follow-up experiment in Los Angeles which de-emphasized group programming and focussed on alternative individualized services. The theory was that this should weaken gang cohesion and reduce delinquency. At the time, Klein found the results promising but inconclusive. A key goal, to reduce the delinquent behavior of gang members, was not achieved. Some members of the gang did leave it, but those that remained were as delinquent as ever. On the other hand, the total amount of crime dropped because fewer kids joined the gang. In fact, no new gang members were successfully recruited during the experiment.[375]

From today's perspective, that looks like an awfully good result. Klein's strategy of trying to weaken gangs by providing alternative services to individuals rather than to gangs as groups is very much in vogue today.[376] And the current merger of prevention and intervention techniques, focussed largely on the young, is at least a partial repetition of his earlier experiment. Let us hope that the results are similar. We already know that suppression tactics can do a reasonable job of putting the top ranks of a gang temporarily out of commission. If we could also learn how to duplicate Klein's feat of cutting

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[375] Malcolm Klein, Street Gangs and Street Workers; Englewood Cliffs, N.J.; Prentice-Hall; 1971; pp. 301-7

[376] There has been a subtle change, however. The focus now tends to be on neighborhoods. Individuals are still targeted within a group context. But the group is the neighborhood rather than the gang.

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off new recruits, the stage would be set for a resounding success. Gangs pressured from both top and bottom would inevitably begin to shrink. If educational and employment programs were targeted properly, a few might even disappear altogether.

COMMUNITY MOBILIZATION AS A PREVENTION STRATEGY

Community mobilization is old wine in a new bottle. Before World War II, social disorganization theorists were promoting the idea that the fabric of social control could be knit back together in communities under pressure (typically from waves of immigration) through organizing efforts. The goal was basically to get all of a community's institutions -- neighborhood groups, schools, clubs, governmental agencies, law enforcement, etc. -- to work together in a coordinated effort to address social problems. Although the emphasis has varied over the years -- sometimes including gangs in the community, sometimes defining them as the target -- the basic concept has not. Community mobilization still seeks to empower a local community to deal with its own problems by building on existing assets and weaving scattered threads of anti-gang activity into a united community effort.[378]

Principles of community mobilization have played a major role in the best-known success stories in Los Angeles gang prevention: Wherever there has been long-term success in reducing gang violence, elements of community mobilization have been present. The classic example was East Los Angeles in the late '70's and early '80's. A host of community and governmental responses arose in East Los Angeles during those years, most of them working together in a loose but consciously united front through the East Los Angeles Interagency Committee: the Catholic Church, Soledad Enrichment Action and Concerned Parents Group; CYGS and GVRP; the East Los Angeles Adult Skills Center; the Probation Department; the Sheriff's Department and the District Attorney's Office all took part. As detailed elsewhere, the results -- including a dramatic drop in gang violence -- were striking. Until fairly recently, they stood in marked contrast to other parts of the county where the community response was much less unified. In many ways, it is the memory of what was achieved in East Los Angeles that drives today's strong emphasis on community mobilization.

Current community mobilization projects seek to combine law enforcement and community-based efforts in opposition to gangs: This may seem to be automatic; but it is not. At various times in the past sixty years, the strategy of community mobilization has fallen out of official favor because of tension over whether

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[378] Spergel, et. al., Op. Cit., pp. 143-46

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law enforcement and government were part of "the community" being mobilized. During the '60's, for instance, some community organizers self-consciously included gangs while excluding law enforcement, or even using it as a foil for organizing efforts. While the issue is still alive in Los Angeles today, it is mainly one of tactics rather than strategy. It may be impolitic to say so in some situations, but in today's community mobilization efforts, gangs are usually the enemy and law enforcement is almost always a friend.[379]

In recent years, the Interagency Gang Task Force has focussed its prevention efforts on Community Mobilization: The trends mentioned above -- fond memories of what was achieved in East Los Angeles, and a solid marriage between prevention and law enforcement -- reflect the leadership of the Interagency Gang Task Force. In recent years, and especially since it was expanded beyond law enforcement, the IAGTF and most of its member agencies -- including the L.A.S.D., L.A.P.D. and the Mayor's Office, among others -- have strongly backed community mobilization. Three projects have exemplified that effort: the Reduction in Street Violence Program (RSVP), the CYGS Target Area strategy, and the Community Reclamation Project (CRP).

RSVP began as an effort to build in South Central Los Angeles the kind of coordinated effort that succeeded in East Los Angeles: Much of the impetus for RSVP came out of L.A.P.D., but the program was quickly embraced by the IAGTF:

> "The Reduction of Street Violence Program (RSVP) concept was developed by the Interagency Gang Task Force to focus and coordinate agency and community efforts in order to reduce the impact and influence of gangs in a targeted area of South Central Los

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[379] That does not mean the path always runs smooth. In many neighborhoods gangs are a venerable community tradition while law enforcement is suspect. This can put prevention and suppression goals in conflict. In "Rising Above Gangs and Drugs," the Community Reclamation Program (CRP) handbook, Natalie Salazar reports that CRP's initial efforts to organize community support for a Civil Abatement in the Harbor Area had to be delayed while the community vented its frustration with recently served STEP notices. From the law enforcement perspective, STEP worked well. From the perspective of some community members, it appeared draconian and heavy-handed. The CRP staff always worked closely with law enforcement, but they benefitted by not having to take responsibility for all law enforcement actions.

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Angeles."[380]

The first phase of the program began in January of 1988, through the efforts of the IAGTF agencies serving the target area. It basically involved identification of services available in the area, an initial attempt at coordination and some redeployment of existing resources. As the program moved toward an operational phase, it was agreed to incorporate a whole range of CYGS services. It also became apparent that full-time staffing within the target area would be required to make the program work in a meaningful way. At this point, RSVP's history begins to merge with CYGS's efforts, as described below. Although technically still a separate entity, the program survives mainly as a strategic concept promulgated by the IAGTF.

RSVP was generally perceived as a success but was never formally evaluated: One reason for RSVP's success was that the L.A.P.D. made a special effort to boost gang enforcement in creative ways -- including its Operation Cul-de-Sac. But the desired levels of staffing and funding were not achieved in the original target area, so the program was never fully operational there, which makes it difficult to assess RSVP's impact.

For what it's worth, in 1990 (the most recent year for which data is available) the Sheriff's station serving the target area (Firestone) showed a modest decrease in total gang related crime, but an increase in homicides and violent felonies; other stations in the same area recorded similar numbers. In 1990, the L.A.P.D. division which serves the RSVP target area (Newton) experienced a 10% rise in gang related crime but the other divisions in Central Bureau mostly had even higher rises. In 1991, Newton Division had a 12% drop in gang related crime; other divisions of the Central Bureau were static or recorded big increases.[381]

CYGS has largely adopted the RSVP strategy in its own Target Area Strategy: CYGS runs a range of programs designed to deal with every aspect of the gang problem: crisis intervention, school-based prevention, employment, parent/teacher education, community mobilization, graffiti removal, etc. These programs became a part of the official RSVP strategy soon after it began. Ever since that time, CYGS has championed a variation on the RSVP strategy which involves the coordinated delivery of all its programs, in close cooperation with law enforcement, within the same Target Area.

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[380] "Illegal Drugs and Los Angeles Street Gangs", Report and Recommendations of the CCJCC/IAGTF; May 18, 1988; p.4

[381] L.A.P.D. Monthly Report; Citywide Gang Crime Summary; December, 1991

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Building on the initial experience with RSVP, CYGS won L.A. City funding to conduct a pilot program of its Target Area Strategy in two L.A.P.D. divisions in 1990. Based on the success of that pilot (see below), expansion into two new areas has been funded. Meanwhile, CYGS has developed a community mobilization protocol, the Gang Education, Assessment and Planning System, which has been used as the basis for conferences sponsored by the L.A.S.D. and the City of Los Angeles. The goal of the conferences is to train local residents in the Target Area Strategy techniques. In theory, this will lead to the formation of Target Area Committees, and the implementation of the Target Area Strategy, in each of the 18 L.A.P.D. divisions.

The Target Area Strategy is proven to yield short-term results: The City of Los Angeles funded a test of the Target Area Strategy in the 77th and Southeast Divisions. The program was implemented in 1990, and the results were very encouraging: "Since the implementation of the CYGS plan, the targeted areas, 77th and Southeast, have seen a definite and substantial decrease in gang related and gang motivated criminal activity."[382] The significance of these results was even greater because gang related crime went up in neighboring divisions in 1990, and also in the city as a whole.

Unfortunately, the decline did not continue in 1991; gang related crime (and gang motivated crime) was up slightly in both divisions. However, the increase was much smaller than for the city as a whole -- less than 3% vs. 10.4%. Within the immediate area, one neighboring division increased by 18%, while the other (ironically, the only one not targeted for some form of gang reduction) declined by 3%.[383] Overall, the two-year numbers look good for this program. While the rest of the city experienced an increase of more than 16% in gang related crime, this the two targeted divisions had a drop of more than 20% -- a much better performance than their neighbors.

Some questions remain to be answered about the long-range potential of the Target Area Strategy: This is clearly the up-and-coming gang prevention strategy in Los Angeles, but the jury is still out on some key points:

-- How much of the short-term success is due to increased law enforcement efforts and to the general decline in the criminal activity of Black street gangs? As planned, L.A.P.D. stepped up its efforts in support of the Target

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[382] Criminal Justice Planning Office, Mayor's Office, City of Los Angeles, "Community Youth Gang Services (CYGS) Target Area Strategy; Gang Violence/Reduction Statistical Report;" 1991

[383] L.A.P.D. monthly report, December, 1991; Op. Cit.

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Area Strategy. We already know that improved gang enforcement can have a powerful short term effect -- whether or not the other elements of the Target Area Strategy are present. We also know that Black gangs have been less active in recent years throughout the county -- which may be why the other divisions in South Bureau have also had relatively good numbers the last two years (though not as good as 77th and Southeast).

-- Can the program's initial effect on gang related crime rates be sustained? As noted earlier, various law enforcement efforts have been successful at lowering gang activity for a period of six months to a year. Because the gang crime rate in the two targeted divisions began to climb again in the second year of the program, it is too early to say whether the gains will be lasting.

-- Can the program be implemented successfully without the focus and leadership provided by CYGS's full-time staff? The City of Los Angeles will get some answers when the Target Area Committees become operational. The hope is that, once they're trained in the Target Area Strategy, the committees can function independently, perhaps with part-time technical assistance from CYGS. The lessons of the first RSVP experiment are not encouraging on this point -- full-time staffing in the target area was found to be a necessary condition for success.

-- Can the program be successful without the enforced coordination provided by CYGS's control of its proprietary programs? It is one thing for a single agency to run multiple programs targeted on the same objective. It is quite another for a variety of agencies, running similar -- and, in some cases, competing -- programs to coordinate their services. This brings us to the CRP experiment.

The Community Reclamation Project (CRP) had strong support and mostly positive reviews, but the program is coming to an end: CRP was a federally funded ($1,040,000 from the U.S. Dept. of Justice's Office of Juvenile Justice and Delinquency Prevention) three-year experiment in community mobilization in the Harbor area of Los Angeles County (Harbor City, Wilmington, Carson and Lomita). The program was shaped, and funding secured, largely by the senior leadership of the IAGTF. It enjoyed strong support from the gang prevention community as a potential model for future efforts. The program was implemented by a staff of ten under the direction of Natalie Salazar, formerly second in command at CYGS, which began work in February of 1989. CRP's original federal grant ended in September of 1991, but additional funding was secured for a short-term continuation at a greatly reduced level of staffing. The program is currently slated to end in the next few months.

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In simplest terms, CRP was an attempt to provide the kind of coordinated service delivery aimed for in the Target Area Strategy -- but without CYGS-style central control of the constituent programs. In theory, CRP should look much like an independent Target Area Committee with its own staff devoted to developing and coordinating anti-gang resources within the community. The goal was to build a community approach to the gang problem that would continue to function once the organizing staff pulled out. Interviews with those in the service area were generally very positive about the program and its staff -- though there were some who felt that the money could have been better spent in providing direct support to local agencies.

There has not yet been a formal evaluation of CRP, but the impact on crime rates appears to have been mixed, at best: As mentioned earlier, there was a dramatic short-term drop in gang related crime in Harbor City when STEP notices and Civil Abatement Notices were served in conjunction with CRP. In addition, the Sheriff's Carson station showed a very substantial drop -- approximately 17% -- in gang related crime in 1990. Other Sheriff's stations nearby (but not served by CRP) also showed reductions, but lesser ones. In sharp contrast, the news from the L.A.P.D.'s Harbor Division is not good. Gang-related crime rose by 24% in 1990, while all the other divisions in South Bureau reported drops. In 1991, Harbor Division reported an 18% increase -- much larger than other divisions in the bureau.

The Harbor area was chosen for CRP precisely because it was an area with an emerging gang problem, so it is not shocking to see continued growth in gang crime. CRP was also dealing primarily with Latino gangs, whose crime rate has been soaring throughout the County in recent years. Even so, the numbers are not encouraging for such a well-funded and well-regarded program. Nor is it clear to outside observers that CRP could function effectively with a fraction of its dynamic staff. Reflecting on the projects successes as well as its problems, CRP's Director highlights several issues:[384]

-- Building a community mobilization effort from the ground up takes a long time, generally 2-5 years. It is much easier to expand an existing program, or to give an existing agency a new role, than to conjure something new.

-- Continuity is a problem. In Los Angeles there is a recurring pattern of intense effort followed by total abandonment. Even successful efforts tend to atrophy from neglect and under funding.

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[384] Interview with Natalie Salazar

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-- Leadership is critical. A trained, professional staff is essential in the early days but also in the long term. Consistency is extremely important; local leadership is slow to develop, and it must be supported if it is to thrive.

-- Coordination is easy on paper but hard in practice. Coordinating programs is much simpler if they are all part of the same organization. Rivalries, personalities, style, priorities, funding requirements, and a host of other problems can make it extremely difficult for community based organizations to work together.

LESSONS AND ISSUES FOR COUNTY GANG PREVENTION POLICY

As will be evident from the discussion above, a rough consensus has formed in recent years about how to do effective gang prevention in Los Angeles. The consensus holds that we must combine the traditional approaches in a coordinated way within well-defined target areas. In each neighborhood the goal should be to provide young people with educational and employment opportunities; to intervene early with at-risk kids and their parents; to maintain a vigorous suppression policy, especially for older gang members; to use the best of the social intervention model in school-based programs, in recreation and in crisis intervention; and to mobilize the full resources of the community in a united anti-gang effort. The question is, how do we get there?

Los Angeles needs a master plan for youth services that includes a strong, coordinated focus on at-risk youth: Any serious discussion of gang prevention strategy quickly leads to the much larger issue of addressing children's needs within an urban environment. Crime, drugs, poverty, the disintegration of traditional family ties and other social ills have created a huge class of at-risk children in cities throughout the nation. In response to this grim reality, cities have begun to re-examine their traditional approaches to children's services.

Denver, Colorado, stands out as a leader in this area. Here is the opening paragraph from the strategic plan adopted there:

> "With our increasing focus on adolescent gang and drug problems, we tend to overlook the fact that the vast majority of youths in the City and County of Denver are living healthy, productive lives. It is this fact that has led us to consider a total reorientation of our philosophy on how to address the problems of Denver's youths. Rather than undertaking traditional needs assessments which typically identify gaps and duplications in the existing service delivery system -- an unwieldy process which to date has eluded accomplishments in Denver as well as across the

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nation -- we commence by investigating and defining the positive behaviors of the majority of youths and using them as the basis for developing a framework to address the needs of those youths who do have problems."[385]

The Denver report is interesting because it attempts to implement a real transformation without creating new bureaucracy or spending new money. It begins with a trenchant analysis of the problem:

"In reviewing the current youth delivery system, it is obvious that there is pervasive support for a positive, integrated approach to the delivery of youth services. However, the main reason why this is not being accomplished has more to do with the overall structure of the system than with existing gaps or duplications in services. Thus the solution is not, 'identify and fill the gaps,' or 'provide more services.' Rather, the solution lies in defining the key problems with the current structure, and designing an improved structure that addresses these problems.

"Specifically, the IYC believes that the key problems with the current youth service delivery system which prevent it from delivering positive, integrated services, are: 1. Program admission criteria which create barriers to services. 2. Fragmented resource allocation. 3. Lack of an integrated information system on what services exist and what services individual youths have received. 4. Failure to serve youths as individuals with multiple, unique needs and within their family contexts; rather, we serve them as isolated types of 'problems.'"[386]

These complaints sound awfully familiar to anyone who spends time talking with gang prevention workers in Los Angeles. Which probably means that Los Angeles would do well to review the strategy adopted in Denver -- a Multi-Agency Treatment Planning and Services Agreement (MAP) established within the existing budget and administrative alignment. What Denver needs may not be what Los Angeles needs. But Los Angeles <u>does</u> need a similarly thorough and thoughtful review of its youth services delivery system -- followed by a similar commitment to action.

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[385] Denver Interagency Youth Council Subcommittee, <u>The Problems of Denver Youths and a Strategy to Address Them</u>, Report to Mayor Federico Pena, June 1990, P. 2

[386] Ibid., p. 3

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The Interagency Gang Task Force has long recognized this need in Los Angeles, and has lobbied for it with some success: In 1989, at the recommendation of the IAGTF, L.A. City established a Youth Advocacy Program (YAP) within the Community Development Department. Its charge was to develop a master plan for youth services, to develop a city policy on at-risk youth, to provide technical assistance to agencies serving youth, and to work with the schools and other levels of government to expand existing resources and develop new ones. L.A. County was much slower to act, despite a very detailed recommendation from the IAGTF. It was only in June of 1991 that the L.A. County Children's Planning Council was finally established.

Unfortunately, gains thus far are mainly on paper. There is little discernible movement toward the primary goal: Some very good things have come out of the city's YAP -- including increased federal funding, a directory of services, and a cooperative effort on the Family Diversion program. What has not yet emerged -- after nearly three years -- is a master plan for youth services to at-risk youth.

It may be that the L.A. County's recent action will help pick up the pace; it would certainly be more efficient if city and county master planning could be coordinated. In theory, the new Children's Planning Council will address many of the concerns raised by the IAGTF. In practice, however, there is great potential for delay and diffusion. The composition of the Council (without representation for law enforcement or probation) suggests a focus on child-abuse issues rather than on the whole range of prevention issues including truancy, gangs, etc.

Los Angeles should not wait for a youth services master plan to establish a systematic and sustained gang prevention effort: Any gang prevention strategy will be stronger if it is integrated into a larger, coordinated plan for improved delivery of services to at-risk youth. It is clear, however, that such a unified plan for Los Angeles County will be a long time in the building. It would be a mistake to delay gang prevention efforts until the whole grand edifice is completed. "Crisis" is an overused word these days, but gang violence has reached levels which fully justify its use. Prevention measures take time to work. With gang homicides already approaching 800 per year, the cost of delay must be calculated in blood. L.A. County and City should move as quickly as possible to adopt a sustained and systematic program of gang prevention. In doing so, planners should track developments on the larger youth services front so that gang prevention strategy can be fully integrated into whatever unified structure eventually emerges.

What we do in gang prevention may be less important than how we do it: While it is an exaggeration to suggest that what we do doesn't matter, it is not much of one. Given a rough consensus

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on what works, the more important problems clearly lie in the realm of execution. Respondents repeatedly expressed a view that the details of individual programs were less important than pursuing the problem in a systematic way and sustaining the effort. Ernie Paculba, of GAPP, expressed his frustration with the fragmented, stop-and-start efforts typical of gang prevention and told us "it doesn't matter what the plan is just so long as we have one." Similarly, in discussing the success of the Target Strategy, Steve Valdivia of CYGS, told us that "the actual nature of the activities we offer is not important. What is important is that they are coordinated, maintained, and offer an opportunity for socialization of youth not normally available."

A universal critique of public policy is the lack of continuity: The comments of CRP director Natalie Salazar are typical. She points out that communities which have achieved long-term success in gang prevention -- like El Monte -- have done so by consistently maintaining their prevention efforts at a high level. Emphasis may change, programs may evolve, but the effort, and the community partnership that sustains it, are constant.

By contrast, public response at the L.A. County and City levels tends to search for quick fixes rather than settling in for the long haul. Programs are proposed in response to a particular crisis rather than in the context of a long-range plan. Limited resources are bounced from program to program, hot-spot to hot-spot, never maintaining consistent pressure in any area. Bursts of activity are followed by lulls of neglect -- and the cycles are very short. This has a deadly effect on prevention. The full potential of promising programs is rarely explored; and those that manage to buck the odds and succeed may be signing their own death warrants by doing so. Communities that struggle to develop leadership and to connect with the gang problem on a local level sometimes find themselves abandoned just as they begin to make progress. People and resources are lost. Then, when the problem kicks up again, response time is very slow because nothing is in place except the debris of past efforts.

The East Los Angeles experience is cited repeatedly as an example of how not to respond to success: Gang homicides in East Los Angeles fell from 20+ per year in the late '70's, to 2-3 per year in the mid-'80's, to zero in 1988. It is reasonable to ask whether policy makers drew the wrong conclusions from this experience. As the gang problem abated, the successful community/governmental partnership that had been years in the making was allowed to decay. In what may or may not have been cause and effect, a resurgence in gang activity followed.

The institutions that won the battle against gang violence in East L.A. a decade ago have not been dismantled, they have not been left without public support, and they have not stopped working together. But after 1984 the focus of the county's gang-

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prevention efforts shifted away from Latino gangs on the Eastside, and toward Black gangs in South Central:

-- The focus of the IAGTF shifted. Its energies and creativity went into new programs aimed at South Central.

-- The Sheriff's O.S.S. forces continued to work the Eastside areas, though they lost some of their intelligence support. New efforts tended to focus on more active gang areas. L.A.P.D.'s CRASH also reorganized and strengthened its efforts in the South Central area.

-- To the degree that discretionary funds were available for new programs -- like RSVP, like the Target Area Strategy, like CRP -- they were no longer channelled toward East Los Angeles.

-- Finally, in a move that many in the community see as pivotal, CYGS was ordered to redeploy much of its crisis intervention program to South Central. The shift was fraught with difficulty. CYGS workers, procedures and training were mostly based on the Hispanic gang experience. Success did not come quickly or easily in the crack-ridden gang neighborhoods of South Central. New staff had to be hired, new relationships built, new procedures developed.

The redeployment of resources may have been partially responsible for the relative decline in Black gang violence in recent years. It is certainly true that CYGS workers are now given pretty high marks in the Black community, and also true that predominantly Black areas served by some of the new programs have seen big drops in crime rates. It clearly made sense for policy makers to shift efforts to where the need was greatest -- and is still enormous, despite some limited successes.

Nevertheless, the shift left East Los Angeles ill-prepared for the new surge of gang violence that began there three years ago. After zero gang homicides in 1988, there were eleven in 1989. The number zoomed to 32 in 1990, and will probably surpass 40 when the 1991 numbers are final -- double the level of twelve years ago. It is far from certain that more CYGS workers, and more O.S.S. officers, would have spotted the emergence of new immigrant gangs in East L.A. and intervened in time to prevent the current surge of violence. What <u>is</u> certain is that they were not in place to try.

Current policy is short-term, reactive and self-defeating: The lesson from East Los Angeles is not that one community got something (or should have kept something) that belonged by right to another community. The lesson is that hop-scotching around the county trying to put out the hottest fire is not the way to reduce gang violence. It merely guarantees that every part of

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Los Angeles will eventually get its turns in the fire.

To switch metaphors, current policy treats the gang problem as though it were a transitory illness -- like a bad case of flu. Response is reactive, short-term -- "take two grants and call me in the morning" -- and based on the unspoken assumption that some limited action will heal or strengthen the system, permitting things to return to "normal". In truth, gangs are not transitory in Los Angeles. They are an enduring fact of community life -- more akin to a lingering medical condition like asthma. They are an illness that can rarely be cured, but <u>can</u> be controlled. Response must be long-term, based on the assumption that regular treatment can help prevent flare-ups and allow the patient to enjoy a normal life. The worst possible course is to ignore the disease until there is a crisis. That can be fatal.

Coordination of multiple private and public efforts is essential and should be a required element of all public grants or contracts for prevention: One of the most persistent goals in prevention is to forge the numerous programs at work in any given community into a single, coordinated effort. This goal grows out of a realization that funds are limited, and out of frustration with situations like this:

> "Recently I attended a grant writing workshop presented by the city [of Long Beach] offering social service grants. More than 90 youth serving agencies were in attendance ... A large number were concerned with dropouts and gangs. Each group there was deeply concerned with its own efforts, talents and resources. They were heavily committed to their own area of concern, but proceeding as though they were the only agency in Long Beach attacking that particular problem."[387]

Like a number of other cities, Long Beach has tried to address this problem by forming a network of child service providers. While such efforts have value, they do not necessarily lead to truly unified gang-prevention efforts. For one thing, networking without an agreed upon strategy is not always productive. For another, agreement can be hard to reach.

The turf wars among prevention agencies can be almost as fierce as those among gangs: The barrier to coordination is not always simple ignorance of other agency's work nor self-absorption with one's own. Not infrequently, there are profound differences in style and fierce competitions between agencies doing quite

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[387] Jack DuBois, Executive Director, The Youth Connection; testimony before the County Board of Supervisors, December 3, 1991.

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similar work. Indeed, in a field where so much needs to be done, it is striking how much energy goes into internecine warfare. In part this is because the field attracts true believers -- inspirational leaders who work selflessly, fighting through many daunting obstacles to build their dreams. Such people tend to have very powerful personalities, and they are not much given to compromising their visions for the communities they serve. Many are also quite talented at motivating people, and at cultivating political allies in their ceaseless struggles for funding.

Any built-in tendencies toward conflict are exacerbated by the shrinking pool of public and private support for community based prevention. When organizations that are struggling for survival must compete against one another for public and private support, rivalries can get very intense. Such conflicts are common in gang prevention. They exist between private agencies -- as in the East L.A. area where GVRP and CYGS offer a similar set of programs within the same area. They exist between public and private agencies -- as when DARE and SANE moved into the schools, becoming indirect rivals for funding with programs like AGM in Paramount. And they exist between public agencies -- as in the L.A.P.D./L.A.S.O. rivalry that has had such an effect on the GREAT computer database, or the potential conflict over youth sports leagues between parks and recreation departments and law enforcement.

Competition of this kind can be wasteful and destructive, especially when conducted on the basis of political power instead of performance; but there are compensations. Competition is a good way to test alternative approaches. It presents policy-makers with options instead of with monopolies. It tends to gradually sort out and discard the weakest, least capable organizations. And the surviving agencies tend to be strong, well-managed and diversified.

CYGS is perceived to be the most regular major participant in L.A.'s prevention turf wars: CYGS has consciously striven to become a full-service gang prevention agency, expanding its efforts into every area that it perceives to be successful, popular and attractive to funders. As a result, CYGS is no longer merely a potential rival for other crisis intervention agencies (like GVRP). It is now competitive with agencies that offer in-school prevention (like GAP); agencies that offer parent training (like SEA); agencies that offer community mobilization services (like CRP); agencies that offer training for community leaders (like Sey Yes); and the list goes on -- including public agencies engaged in prevention efforts, from Probation to DARE and SANE.

With so many irons in the fire, CYGS tends to draw a broad range of criticism from other agencies -- both public and private. One common complaint is that the agency is too big and

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too detached -- insufficiently rooted in the communities it serves. "Community 'buy-in' is crucial to any long-term success," says one respondent. "Institutionalization is a great danger; it won't work. CYGS, for example, isn't built to stay. It's built to disappear." An even more frequent criticism is that CYGS consciously undermines other agencies in pursuit of its own goals. Whether or not this view is justified, it is widely held.

CYGS is a very strong competitor because it has effectively combined its multiple programs into a coherent strategy: CYGS is the only agency in the county with the in-house capacity to conduct a fully coordinated prevention effort (with help from law enforcement) in any designated target area. Other agencies can lead a united effort within a target area. However, because they cannot provide all the necessary services, they must cope with the inherent frustrations and inefficiencies of inter-agency coordination. Perhaps more important, they are often dependent on CYGS for at least one critical component: crisis intervention. There are not a lot of other sources for this service -- and even fewer with such a consistently good working relationship with law enforcement.

CYGS deserves praise for taking a big-picture view of gang prevention. But its increasingly dominant position raises some important policy questions if Los Angeles is to commit to some form of a Target Area/RSVP-style community mobilization.

With current staff and funding, CYGS cannot sustain intensive Target Area prevention programs simultaneously in all gang-infested areas of the county. There are at least three options:

-- CYGS could be expanded to provide county-wide coverage. As noted, however, there are misgivings within the gang-prevention community about any massive expansion of CYGS.

-- Alternatively, different agencies (including CYGS) could take the lead role in different target areas, presumably by coordinating programs provided by several agencies. While not exactly on point, the CRP project could be considered a partial test of this approach. If so, further trials are needed because the outcome was mixed.

-- Finally, a combination approach could be tried -- expand CYGS sufficiently to provide other lead agencies with ongoing training and technical assistance in implementing its programs. The City of Los Angeles is trying a stripped-down version of this approach: By having CYGS organize Target Area Committees in those L.A.P.D. divisions not served directly, it hopes to reap the benefits of the Target Area Strategy without the expense of a lead agency and full-time staff. The program is still young, but past experience (notably with RSVP) is not encouraging.

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Regular evaluations must be a part of any master strategy for gang prevention: Rigorous evaluations can help policy-makers referee prevention turf battles by providing clear, objective data. The murkier the data, the more subjective and bitter will be the fights over their meaning -- and prevention tends to be a very murky business. It would be madness to commit to a county-wide strategy (or strategies) without a provision for gathering hard information about what works and what doesn't.

One reason there are so few solid evaluations of prevention programs is that the cost is not always built into contracts and grants. One respondent acknowledged that his own program needed a careful evaluation but could not afford one. He was not alone. With money so tight, few agencies will invest in evaluations unless they have to.

Evaluation standards should be the mechanism by which the goals of policy-makers are communicated and enforced. They should not be discretionary. Each public prevention grant or contract should include a percentage to be retained by the funder to cover evaluation costs. The standards and methods by which performance is to be evaluated should be clearly set forth in advance -- not only to ensure accountability, but to make it clear to agencies what the real goals of the project are. Suppose, for instance, that a contract is let for lead agency in a targeted community mobilization effort. Left to its own devices, the agency might assume (or hope) that it will be judged on the degree of community participation achieved. If the true goal is to reduce gang violence, as measured by crime statistics, that fact should be known to all parties in advance.

Care should be taken that evaluations are uniform, timely and independent: For evaluations to be useful to policy-makers, standards and methods must be similar for all programs providing similar services. They must be timed for completion in advance of key decisions -- program expansion, funding renewals, etc. And there must be no question about the independence of the evaluators. To the degree that evaluations are taken seriously in funding decisions, to that degree it will be logical for agencies to attempt to influence the evaluators. Whatever agency or contractor is chosen to perform this task, it is essential that the work not be funded, controlled or arranged by the agencies (public or private) being evaluated. The City or the County must be the client. Even if the work is to be done in-house, it would be wise to contract with outside experts to establish uniform procedures that will yield useful results.

The outlines of an effective long-term, pro-active strategy for gang prevention in Los Angeles are clear: It would be presumptuous to attempt a unilateral definition of a countywide prevention strategy. However, drawing on the discussion above, there are clearly some elements that should be considered:

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-- The task of designing the strategy should probably be assigned to the IAGTF -- or to a similar inter-agency body constituted on an ad hoc basis.

-- Implementing the strategy will require formal agreement between the various public agencies as well as some regular forum for coordination. Again, the IAGTF seems a logical candidate -- especially if it were to reorganize along sub-regional lines as suggested in the previous chapter.

-- Some variation of RSVP/Target Area Strategy is the obvious candidate to form the basis of a county-wide prevention effort. Not only has L.A. City made a major commitment to this strategy, the county (through the Sheriff's Department and CYGS) has also made the beginning of a commitment.

-- Full-time staffing is needed to make a coordinated effort work. A lead agency should be designated in each target area to implement the strategy with basic responsibilities, goals and evaluation standards agreed to in advance.

-- However, if the Target Area Strategy is adopted, it should not be designed in such a way as to dictate the choice of a single lead agency throughout the county.

-- Some critical services should be a part of every target area's prevention strategy: early identification and intervention; parent education; school-based gang prevention; alternative activities, including recreation; employment opportunities; community mobilization; etc.

-- Arrangements within each target area should take into account existing services. If there are gaps in essential prevention services (no school-based gang prevention, or no employment training options, etc.) contracts should be let with the lead agency, or with other local agencies, to provide the necessary service within the framework of the target area strategy.

-- As noted above, however, the precise mix of services in each target area is less important than making sure they are coordinated and sustained in a united effort with other government services.

-- Whatever version of the strategy is adopted, it must be designed to work in tandem with the kind of unified law-enforcement suppression effort outlined at the end of the previous chapter.

-- The strategy must also be designed with the goal of a unified plan for delivery of youth services firmly in mind.

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-- It is important that there be a mechanism (perhaps through sub-regional IAGTF meetings) for independently recognizing areas that are having special problems -- like a heavy influx of immigrants and formation of new immigrant gangs. This information should trigger additional law enforcement and prevention responses at the earliest possible stage.

-- Prevention arrangements within each target area should be renewed, or reconfigured on a regular basis. Each area's arrangements should come up for review independently and without any presumption that current arrangements will be maintained.

-- Contracts should be conditioned on, and the renewal cycle timed to coincide with, standardized independent evaluations of results.

-- The review/renewal cycle should not be so short as to undercut effective implementation. Three years might be a reasonable period -- or five years with a mid-contract review.

-- Success should not be grounds for discontinuing or diminishing local efforts. The goal should be a sustained reduction of gang violence throughout the county.

In theory, it should not cost a great deal to provide permanent support for coordinated prevention efforts throughout the county: If issues of turf, cooperation and accountability could be worked out and consensus reached on a master strategy for gang prevention, it should not cost an enormous amount to implement that strategy county-wide. There are 18 L.A.P.D. divisions, and 16 L.A.S.D. stations, not all of which have gang problems. The CRP program served two of these areas at a cost of $300-400,000 per year, which was considered a very healthy budget by prevention standards. Assuming an average cost of around $200,000 per Target Area, and assuming that 25-30 of the law enforcement service areas were targeted, the basic annual cost would be $5-6 million. Some allowance should also be made to ensure critical support services (above and beyond current service levels) from public, private and quasi-public agencies -- law enforcement, CYGS, probation, etc. Assuming those services would double or triple the basic cost, and allowing for administrative overhead and regular evaluation, a total of $15-20 million per year seems plausible -- split between city and county. Not a trivial sum, but not beyond the bounds of possibility, either -- not if the responsible elected officials believed it would substantially reduce gang crime and violence.

Although it is unlikely that L.A. County and City will soon be able to fund full-service prevention throughout the County, the goal should be reachable in stages: Any cost estimate is purely

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theoretical. Given the extremely tight budgetary situation for local government, there is little prospect of new funding at any level. Even if money were available immediately, the investment would not be worthwhile without a well-thought-out and thoroughly-tested plan, a strong commitment by public agencies to cooperate in providing local support, and large numbers of well-trained, experienced people. None of these prerequisites is currently in hand, but they are all within sight. Once a plan is in place, and has been proven to reduce gang violence, it should be easy to convince policy makers to gradually expand it to more and more areas. Indeed, the public will demand it. Seen from this perspective, full funding is a reasonable goal to work toward; it will simply have to be reached in stages.

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DEPARTMENT OF JUSTICE
EXECUTIVE SECRETARIAT CONTROL DATA SHEET

From: BUSH, GEORGE, PRESIDENT OF THE UNITED STATES
To: VICE PRESIDENT, CABINET MEMBERS & OTHERS (AG.) ODD: NONE
Date Received: 06-11-92 Date Due: NONE Control #: X92061108985
Subject & Date
05-28-92 MEMO (REC'D FROM OAG) FURNISHING NATIONAL SPACE POLICY DIRECTIVE 7, REGARDING SPACE-BASED GLOBAL CHANGE OBSERVATIONS. ADVISES THAT THE U.S. GLOBAL CHANGE RESEARCH PROGRAM (USGCRP) IS A KEY COMPONENT OF THE NATION'S OVERALL APPROACH TO GLOBAL STEWARDSHIP AND IS ONE OF THE NATION'S HIGHEST PRIORITY SCIENCE PROGRAMS.

	Referred To:	Date:		Referred To:	Date:	
(1)	OAG;	06-11-92	(5)			W/IN:
(2)			(6)			
(3)			(7)			PRTY:
(4)			(8)			1
	INTERIM BY:			DATE:		OPR:
	Sig. For: NONE			Date Released:		MAU

28 MAY 92

Remarks
INFO CC: DAG, ASG, IPR, OPC/OPD.
(1) FOR INFORMATION.

Other Remarks:

JRH 6/11/92
FILE: PRESIDENTIAL/CORRESPONDENCE

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THE WHITE HOUSE

WASHINGTON

May 28, 1992

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EXECUTIVE SECRETARIAT

NATIONAL SPACE POLICY DIRECTIVE 7

MEMORANDUM FOR THE VICE PRESIDENT
THE SECRETARY OF STATE
THE SECRETARY OF THE TREASURY
THE SECRETARY OF DEFENSE
THE ATTORNEY GENERAL
THE SECRETARY OF INTERIOR
THE SECRETARY OF COMMERCE
THE SECRETARY OF TRANSPORTATION
THE SECRETARY OF ENERGY
CHIEF OF STAFF TO THE PRESIDENT
DIRECTOR OF MANAGEMENT AND BUDGET
THE ASSISTANT TO THE PRESIDENT FOR NATIONAL SECURITY AFFAIRS
THE ASSISTANT TO THE PRESIDENT FOR SCIENCE AND TECHNOLOGY
THE DIRECTOR OF CENTRAL INTELLIGENCE
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
ADMINISTRATOR OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SUBJECT: Space-based Global Change Observation

I. Introduction

The U.S. Global Change Research Program (USGCRP), is a key component of the nation's overall approach to global stewardship and is one of the nation's highest priority science programs. This program's goal is to provide a sound scientific basis for developing national and international policy relating to natural and human-induced changes in the Earth system. The ultimate success of the USGCRP depends upon an integrated set of ground- and space-based observation and research programs. The United States is planning and implementing a series of satellite missions that include NASA's Mission to Planet Earth, related environmental satellites, and activities of other agencies to provide these global observations for the next several decades. For the purposes of this document, these systems are collectively referred to as the Space-based Global Change Observation System (S-GCOS).

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II. Objectives

a. General

The Space-based Global Change Observation System will provide space-based global observations which together with other observations and studies, coordinated through the U.S. Global Change Research Program, will provide the scientific information to help understand the Earth system.

b. Specific

In support of the USGCRP the S-GCOS shall:

1. Improve our ability to detect and document changes in the global climate system to determine, as soon as possible, whether there is global warming or other potentially adverse global environmental changes; and, if changes are detected, determine the magnitude of these changes and identify their causes.

2. Provide data to help identify and understand the complex interactions that characterize the Earth system in order to anticipate changes and differentiate between human-induced and natural processes.

3. Provide for a data system to manage the information collected by S-GCOS as an integral part of the Global Change Data and Information System, consistent with the USGCRP data policy.

4. Provide for the development and demonstration of new space-based remote sensing technologies for global change observation and identify candidate technologies for future operational use.

III. Implementing Actions

This directive provides guidance to agencies developing, deploying, operating or supporting S-GCOS elements to acquire and manage relevant observations and data sets for the USGCRP.

a. International Cooperation

It is recognized that the goals and objectives of the U.S. Global Change Research Program can best be achieved through the mutually-reinforcing research of all nations and many organizations and programs which require a large measure of bilateral and multilateral cooperation. Accordingly, participating agencies may explore, in accordance with this directive and established procedures, international cooperation in space-based global change observation.

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b. Interagency Coordination

Space-based Global Change Observation System activities are conducted in the context of the USGCRP. The Federal Coordinating Council on Science, Engineering, and Technology (FCCSET), through its Committee on Earth and Environmental Sciences (CEES), is responsible for developing and coordinating the USGCRP, and for the activities and requirements of the USGCRP and, therefore, for the Space-based Global Change Observation System. All S-GCOS agencies shall participate with other USGCRP agencies and the CEES in the development and coordination of the Space-based Global Change Observation System Program Plan. The provision, management, and exchange of data will be a key element of the USGCRP.

The CEES will coordinate the interagency development of the Global Change Data and Information System (GCDIS) which integrates appropriate observations, regardless of platform basing mode or orientation of data (land, oceanographic, atmospheric, or space). All agencies involved with S-GCOS will participate with other USGCRP agencies in planning for the GCDIS, with a goal of maximizing the system's interoperability. Data sets intended for the GCDIS shall be responsive to the requirements of, and be accessible to, global change scientists and U.S. Government authorized research and operational users.

c. National Aeronautics and Space Administration (NASA)

The National Aeronautics and Space Administration is the lead agency for planning Space-based Global Change Observation System activities, and is responsible for developing and operating the NASA component of the S-GCOS. This component shall be developed to provide maximum program flexibility within budget constraints. As part of the USGCRP, NASA shall:

1. Lead the development and preparation of a coordinated interagency Space-based Global Change Observation System Program Plan, to be delivered to the National Space Council (NSpC), National Security Council (NSC), the Office of Science and Technology Policy (OSTP), and the Office of Management and Budget (OMB) by the CEES through FCCSET. This plan will guide agencies' S-GCOS activities.

2. Continue with the Mission to Planet Earth by conducting the ongoing development, operation, and scientific use of instruments and satellites designed to observe and monitor processes that govern key aspects of global environmental change.

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3. As part of the Mission to Planet Earth, develop the Earth Observing System (EOS), comprised of intermediate and small sized satellites as recommended by the EOS Engineering Review Panel.

4. Plan and develop, in an incremental and evolutionary manner, the EOS Data and Information System (EOSDIS), which is the NASA part of the data and information system for S-GCOS. This data and information system shall be compatible with other parts of the USGCRP Global Change Data and Information System, and able to incorporate, as appropriate, currently available Earth observations, such as those from Landsat, and provide an active archive for S-GCOS system data sets. Prototype versions of this system, using existing Earth observations, shall be constructed to demonstrate system utility and functions.

5. Develop new instruments and space systems for global change monitoring, utilizing technologies from NASA and other S-GCOS agencies. A plan for related NASA research and development activity shall be integral to the interagency coordinated Space-based Global Change Observation System Program Plan.

d. Department of Energy (DOE)

The Department of Energy shall participate with NASA and the other appropriate S-GCOS agencies in developing satellite systems to maintain data continuity for the understanding of the Earth's radiation budget, consistent with the Space-based Global Change Observation System Program Plan, with an initial capability by 1995.

The DOE shall participate with other S-GCOS agencies in conducting research and development for advanced technologies that can offer promise of increased performance and/or lower cost for advanced long-term global change monitoring systems. A plan for related DOE research and development activity shall be integral to the interagency coordinated Space-based Global Change Observation System Program Plan.

e. Department of Defense (DoD)

The participation of the Department of Defense in the Space-based Global Change Observation System shall consist of related activities derived from current and planned DoD programs. DoD, in cooperation with the Director of Central Intelligence, as appropriate, will identify those technologies and programs that support the S-GCOS and shall seek to make appropriate technology and data from those programs available. DoD may also seek to identify and take advantage of S-GCOS programs and capabilities, as appropriate.

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f. Department of Commerce (DOC)

The Department of Commerce, through the National Oceanic and Atmospheric Administration (NOAA), shall participate in the collection, processing, archiving, retrieval, and use of oceanic- and atmospheric-oriented data and shall, consistent with the Space-based Global Change Observation System Program Plan, provide for the permanent archiving, management, access, and distribution of oceanic and atmospheric Earth science data sets for global change research, including data sets obtained by the S-GCOS. DOC/NOAA shall work with other appropriate agencies to transition, as appropriate, systems, technology, and/or sensors developed for use in the S-GCOS to operational use. The Space-based Global Change Observation System Program Plan shall include a discussion of the criteria related to the desirability and economic feasibility of transitioning specific S-GCOS assets to operational use.

g. Department of the Interior

The Department of the Interior shall assist in the collection, processing, archiving, retrieval, and use of land-oriented data and shall, consistent with the Space-based Global Change Observation System Program Plan, provide for the permanent archiving, management, access, and distribution of land-oriented Earth science data sets for global change research, including data sets obtained by S-GCOS.

h. Department of State

The Department of State has a role in Space-based Global Change Observation with respect to international agreements, significant activities or arrangements with foreign countries, international organizations, or commissions where the United States and one or more foreign countries are members. Prior to discussions between participating agencies and foreign entities that could reasonably be expected to lead to such agreements, activities, or arrangements, the Department of State shall be consulted and, as appropriate, shall coordinate interagency review of the proposed U.S. position to ensure consistency with U.S. foreign policy, national security, and economic interests, and satisfaction of applicable legal requirements. This shall not affect the ability of participating agencies to explore, in accordance with established procedures, scientific, technical, and programmatic aspects of proposed international cooperation that do not involve commitments or foreign policy concerns.

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IV. Reporting Requirements

a. NASA shall lead the preparation of a coordinated and integrated interagency Space-based Global Change Observation System Program Plan that shall be forwarded by the CEES through FCCSET to the NSpC, NSC, OSTP, and OMB not later than July 1, 1992. This plan shall address the S-GCOS architecture, existing and planned S-GCOS satellite systems, technology development activities, sensor suites, launch systems, supporting agency contributions and the data and information systems.

b. Each March, FCCSET/CEES shall prepare and forward a Space-based Global Change Observation System Program Report on the progress and accomplishments of the S-GCOS to the NSpC, NSC, OSTP, and OMB. The Space-based Global Change Observation System Program Plan will meet this requirement for 1992.



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DEPARTMENT OF JUSTICE
EXECUTIVE SECRETARIAT CONTROL DATA SHEET

From: BUSH, GEORGE, PRESIDENT OF THE UNITED STATES
To: PORTER, ROGER (CC: AG.) ODD: NONE
Date Received: 05-29-92 Date Due: NONE Control #: X92052908307
Subject & Date
05-27-92 MEMO (COPY) ADVISING THAT ACTION MUST BE TAKEN WITH REGARD TO ILLEGAL IMMIGRATION AT THE MEXICAN BORDER, WHERE THE IMMIGRANTS HEAD FOR LOS ANGELES, CALIFORNIA. ENCLOSES A COPY OF THE MAY 22, 1992, MEMO TO THE PRESIDENT FROM MR. PORTER PROVIDING DETAILS ON THIS MATTER.

	Referred To:	Date:		Referred To:	Date:	
(1)	OAG;	05-29-92	(5)			W/IN:
(2)			(6)			
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(4)			(8)			1S
	INTERIM BY:			DATE:		OPR:
	Sig. For: NONE			Date Released:		MAU

Remarks
INFO CC: DAG.
(1) FOR INFORMATION.

27 May 92

Other Remarks:

FILE: PRESIDENTIAL/CORRESPONDENCE

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EXECUTIVE SECRETARIAT

SCC 5/27

Send copies to
Dawson
Gutierrez
Moore
Bane

To: Roger Porter May 27, 1992

cc: Sam Skinner

Re: Immigration - California.

This is a frightening situation. We must do something. Thanks for your interesting paper. Be sure to let me know what action we can take. We **must** do something.

GB

FROM THE PRESIDENT

AMERICAN OVERSIGHT
FOIA # 60048 (URTS 16455) DocId: 70106658 Page 352
NARA-18-1003-A-004673

THE WHITE HOUSE

WASHINGTON

5/27/92

May 22, 1992

92 MAY 22 P6:56

MEMORANDUM FOR THE PRESIDENT

FROM: ROGER B. PORTER RBP

SUBJECT: Illegal Immigration and Los Angeles

When I was in Los Angeles with you, we repeatedly heard concerns expressed about the level of illegal immigration from Mexico. Thursday evening, after the task force meeting, I helicoptered down to the border and spent two and a half fascinating hours visiting with border patrol officers along the 14 mile strip between the ocean and the foothills, talking with senior INS officials, and interviewing detainees.

I returned with four strong impressions:

1. The problem is serious and deteriorating.

The average daily apprehension rate in this 14 mile section of the border is roughly 1,500. This represents approximately half of those apprehended along our entire border with Mexico.

As the figures in the attached document illustrate apprehension rates are climbing steeply. For the first six months of FY 1992, 336,065 individuals were apprehended, almost double the annual rate in 1989.

INS officials estimate that for every apprehension, approximately two individuals make it through. If their estimates are accurate, this means more than a million will illegally immigrate through the San Diego sector during this fiscal year. The freeway numbers in the far right column are those who make it to the median strip of the freeway. Safety concerns prevent actions to apprehend them.

2. Narcotics seizures are soaring.

Especially disturbing is the dramatic increase in drug smuggling along the San Diego section of the border. As the figures in the attached document illustrate, marijuana and cocaine seizures are sharply up. The FY 1992 figures are for the first six months only, and have not been annualized.

3. The composition of those apprehended is changing.

Border patrol officers uniformly reported that those

AMERICAN OVERSIGHT

NARA-18-1003-A-004674

apprehended are more aggressive, difficult, and rougher looking than in the past. Fewer are migrant farm laborers; more have traveled considerable distances from urban areas far into Mexico.

4. Economic motives remain the driving force behind the illegal immigration and underscore the need for a successful NAFTA negotiation.

The detainees I interviewed, who had no idea where I was from, were overwhelmingly male and under 30 years of age. Most (85-90 percent) indicated they were headed for Los Angeles. Approximately twenty-five percent said they had relatives in Los Angeles.

Slightly fewer, perhaps twenty percent, said they thought they had a job waiting for them. The average salary: $25-30 a day. When I asked how that compared with what they could make in Mexico, the room of about fifty erupted into laughter.

Since returning I have met with Bill Barr to discuss a range of alternatives for reducing the flow. We are working with other senior officials to develop a series of options for your consideration.

Attachments

AMERICAN OVERSIGHT

DAILY APPREHENSIONS - May 1992

DATE	DAY	TOTAL	OTM's	FREEWAY
May 1	Friday	1461	0	
May 2	Saturday	2049	0	454
May 3	Sunday	1541	4	730
May 4	Monday	1216	2	740
May 5	Tuesday	1039	5	621
May 6	Wednesday	1312	4	389
May 7	Thursday			
May 8	Friday			
May 9	Saturday			
May 10	Sunday			
May 11	Monday			
May 12	Tuesday			
May 13	Wednesday			
May 14	Thursday			
May 15	Friday			
May 16	Saturday			
May 17	Sunday			
May 18	Monday			
May 19	Tuesday			
May 20	Wednesday			
May 21	Thursday			
May 22	Friday			
May 23	Saturday			
May 24	Sunday			
May 25	Monday			
May 26	Tuesday			
May 27	Wednesday			
May 28	Thursday			
May 29	Friday			
May 30	Saturday			
May 31	Sunday			

**TOTALS:	APPS:	8,618	OTM's: 15	FREEWAY: 2,934
				DAILY AVG 587
1992 TOTALS:	APPS:	336,065	OTM's: 2,193	

1986	1987	1988	1989	1990	1991
629,656	500,327	431,592	366,757	473,323	540,347

AMERICAN OVERSIGHT

NARA-18-1003-A-004676

U.S. BORDER PATROL
SAN DIEGO SECTOR
NARCOTICS SEIZURES

FY 1986

MARIJUANA	2,789 LBS.
COCAINE	1,285 LBS.

FY 1991

MARIJUANA	8,495 LBS.
COCAINE	682 LBS.

FY 1992

MARIJUANA	23,147 LBS.
COCAINE	6,427 LBS.

(REV. 05/07/92)

AMERICAN OVERSIGHT

NARA-18-1003-A-004677

DEPARTMENT OF JUSTICE
EXECUTIVE SECRETARIAT CONTROL DATA SHEET

From: BUSH, GEORGE, PRESIDENT OF THE UNITED STATES
To: CERTAIN DEPARTMENT AND AGENCY HEADS (AG.) ODD: 08-31-92
Date Received: 04-30-92 Date Due: 08-31-92 Control #: X92050106765
Subject & Date
04-29-92 MEMO ADVISING THAT THE RESPONSE THUS FAR HAS BEEN EXCELLENT TO HIS MEMO OF JANUARY 28, 1992, REGARDING A REVIEW OF EXISTING REGULATIONS AND PROGRAMS AND TO ACCELERATE INITIATIVES THAT WILL CREATE JOBS AND STIMULATE ECONOMIC GROWTH. STATES THAT MUCH MORE REMAINS TO BE DONE, AND REQUESTS THAT EACH AGENCY SET ASIDE THE NEXT 120-DAYS TO IMPLEMENT, AS QUICKLY AS POSSIBLE, THOSE PROPOSALS THAT WILL CREATE JOBS AND ENHANCE ECONOMIC GROWTH WITHOUT **

	Referred To:	Date:		Referred To:	Date:	
(1)	ATR;RILL	05-01-92	(5)			W/IN:
(2)			(6)			
(3)			(7)			PRTY:
(4)			(8)			1
	INTERIM BY:			DATE:		OPR:
	Sig. For: ATR			Date Released: 09-21-92		MAU

29 April 92

Remarks
** ENDANGERING PUBLIC HEALTH OR SAFETY. SETS FORTH SPECIFIC GUIDELINES WITH REPORTING DATES. ALSO ADVISES THAT EACH AGENCY HEAD AND AGENCY REGULATORY OVERSIGHT OFFICIAL SHOULD CONTINUE COORDINATING WITH THE COMPETITIVENESS COUNCIL'S WORKING GROUP ON REGULATORY REFORM.
(SEE EXEC. SEC. 92012901471(9) - COMPLETE FILE ATTACHED.)

Other Remarks:
INFO CC: OAG, DAG, ASG, OPC.
(1) PREPARE RESPONSE FOR AG SIGNATURE. RETURN THRU EXEC. SEC., ROOM 4400-AA, FOR TRANSMITTAL TO THE AG.
(SEE EXEC. SEC. 92052207986.)
09-21-92 ATR REPLIED BY LETTERS DATED 08-27-92. (TJ)
OLA CONTACT:
JRH 5/4/92
FILE: PRESIDENTIAL/CORRESPONDENCE

CROSS REFERENCES:
1. REGULATIONS

REMOVE THIS CONTROL SHEET PRIOR TO FILING AND DISPOSE OF APPROPRIATELY
****

AMERICAN OVERSIGHT

NARA-18-1003-A-004678

U.S. Department of Justice

Antitrust Division

Office of the Assistant Attorney General *Washington, D.C. 20530*

August 27, 1992

C. Boyden Gray
Counsel to the President
The White House
West Wing, 2nd Floor
Washington, D.C. 20500

Dear Mr. Gray:

On behalf of the Department of Justice, I am pleased to transmit a report describing the results of the regulatory review effort within the Department during the initial 90-day review period and the 120-day extension. Although the Department is not a major initiator of regulatory requirements, we have achieved significant improvements in those regulations we do administer.

We have identified 22 separate regulatory reform initiatives that advance the goals set forth in the President's January 28 memorandum. Each is explained in the attached report. Among the reforms are (i) a number of Immigration and Naturalization Service initiatives, including the elimination of the personal interview requirement for certain applicants (this should result in a cost savings of between $6.7 and $9.5 million per year); (ii) the encouragement of greater use of inmate grievance procedures under the Civil Rights of Institutionalized Persons Act to reduce the number of grievance claims that need to be litigated fully in the federal courts; and (iii) the 1992 Horizontal Merger Guidelines, which achieved policy convergence between the Department and the Federal Trade Commission, and improved the analytical techniques for antitrust review of business combinations.

We believe that the review process will yield additional benefits as we continue to examine existing regulations, and as we consider new regulations under the standards set forth in the President's January 28 memorandum.

AMERICAN OVERSIGHT

FOIA # 60048 (URTS 16455) DocId: 70106658 Page 358

NARA-18-1003-A-004679

The Department hopes that this report meets with your satisfaction. We would be pleased to answer any questions concerning the Department's report and review process.

Sincerely,

Charles A. James

Charles A. James
Acting Assistant Attorney General

Enclosures (4)

cc: Michael J. Boskin

AMERICAN OVERSIGHT

NARA-18-1003-A-004680

U.S. Department of Justice

Antitrust Division

Office of the Assistant Attorney General *Washington, D.C. 20530*

August 27, 1992

Michael J. Boskin, Chairman
Council of Economic Advisors
OEOB Building
17th & Pennsylvania Avenue, N.W.
Room 314
Washington, D.C. 20500

Dear Mr. Boskin:

On behalf of the Department of Justice, I am pleased to transmit a report describing the results of the regulatory review effort within the Department during the initial 90-day review period and the 120-day extension. Although the Department is not a major initiator of regulatory requirements, we have achieved significant improvements in those regulations we do administer.

We have identified 22 separate regulatory reform initiatives that advance the goals set forth in the President's January 28 memorandum. Each is explained in the attached report. Among the reforms are (i) a number of Immigration and Naturalization Service initiatives, including the elimination of the personal interview requirement for certain applicants (this should result in a cost savings of between $6.7 and $9.5 million per year); (ii) the encouragement of greater use of inmate grievance procedures under the Civil Rights of Institutionalized Persons Act to reduce the number of grievance claims that need to be litigated fully in the federal courts; and (iii) the 1992 Horizontal Merger Guidelines, which achieved policy convergence between the Department and the Federal Trade Commission, and improved the analytical techniques for antitrust review of business combinations.

We believe that the review process will yield additional benefits as we continue to examine existing regulations, and as we consider new regulations under the standards set forth in the President's January 28 memorandum.

AMERICAN OVERSIGHT

FOIA # 60048 (URTS 16455) DocId: 70106658 Page 360

NARA-18-1003-A-004681

The Department hopes that this report meets with your satisfaction. We would be pleased to answer any questions concerning the Department's report and review process.

Sincerely,

Charles A. James/KS

Charles A. James
Acting Assistant Attorney General

Enclosures (4)

cc: C. Boyden Gray

AMERICAN OVERSIGHT

NARA-18-1003-A-004682

U.S. Department of Justice

Antitrust Division

Office of the Assistant Attorney General *Washington, D.C. 20530*

August 27, 1992

David McIntosh
Assistant to the Vice President
for Domestic Policy and
Deputy Director for the Council
on Competitiveness
Old Executive Office Building
17th & Pennsylvania Avenue, N.W.
Washington, DC 20500

Dear Mr. McIntosh:

On behalf of the Department of Justice, I am pleased to transmit a report describing the results of the regulatory review effort within the Department during the initial 90-day review period and the 120-day extension. Although the Department is not a major initiator of regulatory requirements, we have achieved significant improvements in those regulations we do administer.

We have identified 22 separate regulatory reform initiatives that advance the goals set forth in the President's January 28 memorandum. Each is explained in the attached report. Among the reforms are (i) a number of Immigration and Naturalization Service initiatives, including the elimination of the personal interview requirement for certain applicants (this should result in a cost savings of between $6.7 and $9.5 million per year); (ii) the encouragement of greater use of inmate grievance procedures under the Civil Rights of Institutionalized Persons Act to reduce the number of grievance claims that need to be litigated fully in the federal courts; and (iii) the 1992 Horizontal Merger Guidelines, which achieved policy convergence between the Department and the Federal Trade Commission, and improved the analytical techniques for antitrust review of business combinations.

We believe that the review process will yield additional benefits as we continue to examine existing regulations, and as we consider new regulations under the standards set forth in the President's January 28 memorandum.

AMERICAN OVERSIGHT
FOIA # 60048 (URTS 16455) DocId: 70106658 Page 362
NARA-18-1003-A-004683

The Department hopes that this report meets with your satisfaction. We would be pleased to answer any questions concerning the Department's report and review process.

Sincerely,

Charles A. James/KSB

Charles A. James
Acting Assistant Attorney General

Enclosures (4)

AMERICAN OVERSIGHT

NARA-18-1003-A-004684

THE WHITE HOUSE

WASHINGTON

April 29, 1992

RECEIVED
DEPARTMENT OF JUSTICE
'92 APR 30 P4:20
EXECUTIVE SECRETARIAT

MEMORANDUM FOR CERTAIN DEPARTMENT AND AGENCY HEADS

SUBJECT: Implementing Regulatory Reforms

On January 28, 1992, I issued a memorandum asking each of you to set aside a 90-day period to conduct a review of existing regulations and programs and to accelerate initiatives that will create jobs and stimulate economic growth.

Your response thus far has been excellent. Together, we have already implemented numerous reforms that will ultimately reduce the prices American consumers and businesses pay for energy and transportation, increase the amount of credit available for business expansion and homes, cut red tape for emerging industries such as biotechnology, and reduce many other regulatory barriers to job creation and economic growth.

But much remains to be done. Within the next few days, each of you will be submitting a report outlining additional proposals to eliminate or revise unnecessary, and unnecessarily burdensome, regulations. Every agency has identified a number of reforms that can be accomplished without new legislation. We must make every effort to implement as quickly as possible those proposals that will create jobs and enhance economic growth without endangering public health or safety.

Accordingly, I ask that each of your agencies set aside the next 120 days for this purpose. To that end, I request that, to the maximum extent possible, you adhere to the following specific guidelines:

1. Reforms that do not require public comment should be implemented as quickly as possible, but no later than June 1, 1992. Reforms that have already been noticed for public comment should be issued in final form as quickly as possible, but no later than August 1, 1992.

2. Other reforms requiring public comment should be noticed for comment as soon as possible -- but no later than June 15, 1992 -- with a view to issuing final rules no later than August 27, 1992.

3. On September 1, 1992, each agency should submit an additional report to me. This report should summarize all the pro-growth reforms implemented since January 28. It should also estimate the potential cost savings or other benefits to the economy created by these pro-growth reforms, including an estimate of the expected net increase in jobs.

AMERICAN OVERSIGHT

NARA-18-1003-A-004685

4. To ensure that adequate agency resources are devoted to the reform effort, your agency should continue, during this 120-day period, to adhere to the moratorium as described in my January 28 memorandum. I emphasize, as I did then, that this moratorium does not apply to certain limited categories of regulations, including those that respond to situations posing an imminent danger to human health or safety.

5. Your agency should also continue to adhere to the substantive standards detailed in my January 28 memorandum with respect to all programs and regulations. And, to the extent it does not duplicate existing regulatory review processes, you should submit to me, in advance, a complete regulatory impact analysis of each major rule proposed to be issued during this period. This will help ensure that these regulations achieve their objectives at the least cost to American consumers and workers.

In implementing your reforms and in preparing the reports described in paragraph 3, you and your agency's regulatory oversight official should continue coordinating with the Competitiveness Council's Working Group on Regulatory Reform.



AMERICAN OVERSIGHT

NARA-18-1003-A-004686

THE SECRETARY OF THE TREASURY
THE SECRETARY OF DEFENSE
THE ATTORNEY GENERAL
THE SECRETARY OF THE INTERIOR
THE SECRETARY OF AGRICULTURE
THE SECRETARY OF COMMERCE
THE SECRETARY OF LABOR
THE SECRETARY OF HEALTH AND
HUMAN SERVICES
THE SECRETARY OF HOUSING AND
URBAN DEVELOPMENT
THE SECRETARY OF TRANSPORTATION
THE SECRETARY OF ENERGY
THE SECRETARY OF EDUCATION
THE CHAIRMAN OF THE INTERSTATE
COMMERCE COMMISSION
THE CHAIRMAN OF THE BOARD OF GOVERNORS
OF THE FEDERAL RESERVE SYSTEM
THE CHAIRMAN OF THE FEDERAL TRADE COMMISSION
THE CHAIRPERSON OF THE FEDERAL DEPOSIT
INSURANCE CORPORATION
THE CHAIRMAN OF THE SECURITIES AND
EXCHANGE COMMISSION
THE CHAIRMAN OF THE FEDERAL
COMMUNICATIONS COMMISSION
THE CHAIRMAN OF THE FEDERAL
MARITIME COMMISSION
THE CHAIRMAN OF THE EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION
THE ADMINISTRATOR OF THE
ENVIRONMENTAL PROTECTION AGENCY
THE CHAIRMAN OF THE NUCLEAR
REGULATORY COMMISSION
THE CHAIRMAN OF THE COMMODITY FUTURES
TRADING COMMISSION
THE CHAIRMAN OF THE FEDERAL ENERGY
REGULATORY COMMISSION

AMERICAN OVERSIGHT

DEPARTMENT OF JUSTICE
EXECUTIVE SECRETARIAT CONTROL DATA SHEET

From: BUSH, GEORGE, PRESIDENT OF THE UNITED STATES
To: HEADS OF DEPARTMENTS AND AGENCIES (AG.) ODD: NONE
Date Received: 04-30-92 Date Due: NONE Control #: X92050106770
Subject & Date
04-29-92 MEMO ADVISING THAT HE IS DIRECTING THE ESTABLISH-
MENT OF PROCEDURES BY WHICH THE LIKELY BENEFITS AND COSTS TO
THE AMERICAN PUBLIC OF LEGISLATIVE PROPOSALS ARE DISCLOSED,
TO THE PUBLIC AND TO THE CONGRESS, BEFORE ENACTMENT. HE
HAS DIRECTED THE DIRECTOR OF OMB TO ENSURE THAT QUANTIFIED
ESTIMATES OF THE LIKELY BENEFITS AND COSTS OF LEGISLATIVE
PROPOSALS ARE PROVIDED ON A TIMELY BASIS TO THE CONGRESS.
THIS SHALL BE UNDERTAKEN AS PART OF THE LEGISLATIVE **

Referred To:	Date:		Referred To:	Date:	
(1) OLA;RAWLS	05-01-92	(5)			W/IN:
(2)		(6)			
(3)		(7)			PRTY:
(4)		(8)			1
INTERIM BY:		DATE:			OPR:
Sig. For: OLA		Date Released:			MAU

29 APR 92

Remarks
** COORDINATION AND CLEARANCE PROCESS ESTABLISHED BY OMB,
AND SHALL BE CONSISTENT WITH THE POLICIES STATED IN EXISTING
EXECUTIVE ORDERS. LISTS SPECIFIC INSTRUCTIONS FOR THIS
EFFORT. ADVISES THAT DEPTS. AND AGENCIES SHOULD PREPARE
THESE ESTIMATES IN A TIMELY MANNER FOR SIGNIFICANT ELEMENTS
OF LEGISLATIVE PROPOSALS UNDER ACTIVE CONSIDERATION BY THE
CONGRESS, OR TO BE PROPOSED BY A DEPT. OR AGENCY, THAT HAVE

Other Remarks:
SUBSTANTIAL IMPACT UPON THE PUBLIC, AND SHOULD PROVIDE OMB
WITH SUCH PROPOSED ESTIMATES AS MAY BE REQUESTED BY THE
DIRECTOR.
INFO CC: OAG, DAG, ASG, OLC, OPC.
(1) FOR APPROPRIATE HANDLING. ADVISE EXEC. SEC. OF ACTION
TAKEN.
JRH 5/4/92
FILE: PRESIDENTIAL/CORRESPONDENCE
L920501 1230

REMOVE THIS CONTROL SHEET PRIOR TO FILING AND DISPOSE OF APPROPRIATELY
****

AMERICAN OVERSIGHT

THE WHITE HOUSE

WASHINGTON

April 29, 1992

RECEIVED
DEPARTMENT OF JUSTICE
92 APR 30 P4:20
EXECUTIVE SECRETARIAT

MEMORANDUM FOR THE HEADS OF DEPARTMENTS AND AGENCIES

SUBJECT: Benefits and Costs of Legislative Proposals

I am today directing the establishment of procedures by which the likely benefits and costs to the American public of legislative proposals are disclosed, to the public and to the Congress, before enactment. These procedures will permit the full and fair evaluation of these benefits and costs, both direct and indirect, as part of the legislative process.

The rational and efficient balancing of the benefits and costs of proposed Federal legislation can be hindered by a lack of key information. Enactment of legislation without consideration of this information may result in costly and inefficient requirements that slow the rate of growth of jobs and incomes for the American people. Identifying the benefits and costs of proposed regulatory and other Federal legislation and their indirect effects is a crucial first step in assuring strong economic performance.

I therefore direct the Director of the Office of Management and Budget to ensure that quantified estimates of the likely benefits and costs of legislative proposals are provided on a timely basis to the Congress. This shall be undertaken as part of the legislative coordination and clearance process established by OMB, and shall be consistent with the policies stated in existing Executive orders.

Where appropriate, these estimates should include assessments of the effect of the proposed legislation on:

1. The expected benefits and costs for the U. S. economy (including, for example, the impact on consumers, firms, and State and local governments);

2. U. S. employment, inflation, international competitiveness, and economic growth (measured, for example, by gross domestic product); and

3. Outlays and revenues by the Federal government as compared to outlays and revenues for the same activity in the current fiscal year.

Departments and agencies should prepare these estimates in a timely manner for significant elements of legislative proposals under active consideration by the Congress, or to be proposed by a department or agency, that have substantial impact upon the public, and should provide the Office of Management and Budget

AMERICAN OVERSIGHT

NARA-18-1003-A-004689

with such proposed estimates as may be requested by the Director. The Director of the Office of Management and Budget shall, in consultation with the Chairman of the Council of Economic Advisers, provide technical guidance to agencies on the methodology for preparing high quality and accurate estimates.

AMERICAN OVERSIGHT

DOJ EXECUTIVE SECRETARIAT
CROSS-REFERENCE RECORD

CONTROL NUMBER: 92042706407

SCHLESINGER, STEVEN R, Dir-OPD

THE ENTIRE DOCUMENT PACKET FOR THE CONTROLLED CORRESPONDENCE INDICATED BY THE ABOVE EX.SEC. CONTROL NUMBER HAS BEEN FILED IN THE FOLLOWING PRIMARY FILE LOCATION WITHIN THE SUBJECT FILES OF THE ATTORNEY GENERAL.

PRIMARY FILE: OFFICE OF POLICY DEVELOPMENT

24 APRIL 92

PRESIDENTIAL/Correspondence

24 APR 92

AMERICAN OVERSIGHT

NARA-18-1003-A-004691

DEPARTMENT OF JUSTICE
EXECUTIVE SECRETARIAT CONTROL DATA SHEET

From: PRESIDENT BUSH, THE WHITE HOUSE
To: HEADS OF DEPARTMENTS AND AGENCIES (AG.) ODD: NONE
Date Received: 03-19-92 Date Due: 05-08-92 Control #: X920320045099
Subject & Date
03-18-92 MEMO EXPRESSING HIS SUPPORT FOR THE 1992 FEDERAL SAVINGS BOND CAMPAIGN WHICH WILL BEGIN SOON. ADVISES THAT IN 1991, 32 PERCENT OF FEDERAL EMPLOYEES AND MEMBERS OF THE ARMED SERVICES PURCHASED SAVINGS BONDS THROUGH PAYROLL ALLOTMENTS. HE HOPES TO SEE THAT PARTICIPATION INCREASE SIGNIFICANTLY THIS YEAR. ADVISES THAT MANUEL LUJAN, JR., SECRETARY OF THE INTERIOR, HAS BEEN APPOINTED TO CHAIR THE SAVINGS BOND CAMPAIGN, AND REQUESTS THAT AGENCY HEADS **

Referred To:	Date:		Referred To:	Date:	
(1) JMD;FLICKINGER	05-11-92	(5)			W/IN:
(2)		(6)			
(3)		(7)			PRTY:
(4)		(8)			1
INTERIM BY:			DATE:		OPR:
Sig. For: AG.			Date Released:	05-11-92	EHZ

18 MARCH 92

Remarks
(1) AG INITIALED MEMO DATED 05-10-92 BY OAG. ORIGINAL HAND-CARRIED TO JMD; EXEC. SEC. FOR HANDLING ON 05-11-92. (TJ)

Other Remarks:

OLA CONTACT:

FILE: PRESIDENTIAL CORRESPONDENCE, AG CHRON

CROSS REFERENCES:
1. PERSONNEL/U.S. Savings Bonds

REMOVE THIS CONTROL SHEET PRIOR TO FILING AND DISPOSE OF APPROPRIATELY
****

AMERICAN OVERSIGHT

DEPARTMENT OF JUSTICE
EXECUTIVE SECRETARIAT CONTROL DATA SHEET

From: PRESIDENT BUSH, THE WHITE HOUSE
To: HEADS OF DEPARTMENTS AND AGENCIES (AG.) ODD: NONE
Date Received: 03-19-92 Date Due: 05-08-92 Control #: X92032004509
Subject & Date
03-18-92 MEMO EXPRESSING HIS SUPPORT FOR THE 1992 FEDERAL SAVINGS BOND CAMPAIGN WHICH WILL BEGIN SOON. ADVISES THAT IN 1991, 32 PERCENT OF FEDERAL EMPLOYEES AND MEMBERS OF THE ARMED SERVICES PURCHASED SAVINGS BONDS THROUGH PAYROLL ALLOTMENTS. HE HOPES TO SEE THAT PARTICIPATION INCREASE SIGNIFICANTLY THIS YEAR. ADVISES THAT MANUEL LUJAN, JR., SECRETARY OF THE INTERIOR, HAS BEEN APPOINTED TO CHAIR THE SAVINGS BOND CAMPAIGN, AND REQUESTS THAT AGENCY HEADS **

	Referred To:	Date:		Referred To:	Date:	
(1)	JMD;FLICKINGER	03-20-92	(5)			W/IN:
(2)	DAG;TERWILLIGE	04-27-92	(6)			
(3)	OAG;	05-01-92	(7)			PRTY:
(4)			(8)	JMD;FLICKINGER	05-11-92	1
	INTERIM BY:			DATE:		OPR:
	Sig. For: AG.			Date Released: SEE "9"		EHZ

Remarks
** APPOINT ONE OF THEIR TOP OFFICERS AS VICE CHAIR TO WORK WITH SECRETARY LUJAN AND HIS TEAM. HE LOOKS FORWARD TO RECEIVING EACH AGENCY'S CAMPAIGN RESULTS.
SEE EXEC. SEC. 92021102257 CONTROL SHEET ATTACHED.
INFO CC: OAG, DAG, ASG.
(1) FOR APPROPRIATE HANDLING. ADVISE EXEC. SEC. OF ACTION TAKEN.

Other Remarks:
(2) W/MEMO DATED 04-24-92 FROM JMD TO THE AG SUBMITTING A PREPARED MEMORANDUM TO ALL EMPLOYEES INFORMING THEM OF THE 1992 SAVINGS BOND CAMPAIGN FROM MAY 18-29, 1992. TO DAG FOR CONCURRENCE. (BJ)
(3) DAG CONCURRED ON 04-30-92. TO AG FOR SIGNATURE. BJ

GJT CONCURRED 4/30/92; TO E.S. 5/1/92
FILE: PRESIDENTIAL CORRESPONDENCE, AG CHRON
J920320 1038

REMOVE THIS CONTROL SHEET PRIOR TO FILING AND DISPOSE OF APPROPRIATELY
****

AMERICAN OVERSIGHT

ACTION MEMORANDUM

ATTORNEY GENERAL/DEPUTY ATTORNEY GENERAL/ASSOCIATE ATTORNEY GENERAL

Subject
Memo to all Department of Justice Employees Informing them of the 1992 Savings Bonds Campaign

Date
APR 24 1992

TO: The Attorney General

FROM: Harry H. Flickinger
Assistant Attorney General
for Administration

Summary: Memo to all Department of Justice (DOJ) employees informing them that the DOJ 1992 Savings Bonds Campaign will be held May 18-29, 1992.

Action Required: Signature of the Attorney General.

Due Date/Action Forcing Event: 1992 Savings Bonds Campaign, May 18-29, 1992.

DOJ Coordination: Division/Component and Views (attach comments if other than concurrence)

None

Concurrences:

	DAG	ASG	OLC	OPD	OLA	PAO	JMD	MARCY
Initials		x	x	x	x	x	x	
Date	4/30/92							4-28-92

External Coordination: Agency and Views (attach comments if other than concurrence)

None

Contact Point for Additional Information: Warren Oser, Campaign Coordinator
Senior Policy Advisor, Office of AAG/A on 514-0458

AMERICAN OVERSIGHT

NARA-18-1003-A-004694

THE WHITE HOUSE

WASHINGTON

March 18, 1992

RECEIVED
DEPARTMENT OF JUSTICE
'92 MAR 19 P4:50
EXECUTIVE SECRETARIAT

MEMORANDUM FOR THE HEADS OF DEPARTMENTS AND AGENCIES

As a Nation we need to promote thrift, increase personal savings, save to educate our children, and reduce the cost of Government financing. By supporting the Savings Bonds program, we help meet these needs. The 1992 Federal Savings Bond Campaign will soon begin. It has my full support.

In 1991, 32 percent of Federal employees and members of the Armed Services purchased Savings Bonds through payroll allotments. This year, I hope to see that participation increase significantly.

To this end I challenge you to charge your managers to accept and achieve the following goals in 1992:

1. To increase your department's/agency's participation level by 10 percent; and

2. To raise your department's/agency's participation rate from its current level to a minimum level of 40 percent; and

3. To have 20 percent of current bond buyers increase their allotments.

These goals are achievable. Currently, many departments and agencies have already achieved what I am asking of you.

I have appointed Manuel Lujan, Jr., Secretary of the Interior, to chair the 1992 Federal Savings Bond Campaign. Please appoint one of your top officers as your Vice Chair to work with Secretary Lujan and his team.

Your personal commitment will insure the success of this Campaign. I look forward to receiving your Campaign results.

AMERICAN OVERSIGHT
FOIA # 60048 (URTS 16455) DocId: 70106658 Page 374
NARA-18-1003-A-004695

Office of the Attorney General
Washington, D.C. 20530

May 10, 1992

MEMORANDUM TO: All Employees

FROM: William P. Barr
Attorney General

SUBJECT: 1992 Savings Bonds Campaign

The Department will conduct its annual U.S. Savings Bonds Campaign from May 18 through May 29, 1992. The theme for this year's campaign is "Making American Dreams a Reality"--and U.S. Savings Bonds are an effective and painless means of saving that can help you to realize your American Dream. They help millions of employees put aside more than they ever have before and buying Bonds regularly through the Payroll Savings Plan is convenient. Bonds offer a competitive return, are market-based, and are one of the safest investments available.

Interest on U.S. Savings Bonds is free from State and local income taxes and Federal income taxes on the interest can be deferred. In 1990, another advantage was added for those who buy Bonds and use them to help pay for their own or their child's higher education. The interest earned on Bonds purchased on or after January 1, 1990, may be excluded from Federal income tax if the purchaser is within certain income brackets and meets other requirements. Grandparents can contribute to the education of a grandchild by purchasing Bonds in the names of the grandchild's parents, who may then avoid income tax on all or a portion of the interest at redemption, if qualified.

Savings Bonds can be purchased in denominations to suit almost any income or savings goal--from $100 to $1,000. Each denomination costs just half its face value, so a $100 Bond costs just $50. As a Federal employee you also benefit because of average dating, which means that your Savings Bond's issue date will be the month when half of its purchase price has been accumulated.

During the Department's Savings Bonds drive you will receive detailed information about Savings Bonds and the new tax-free for education feature. I urge you to read the material carefully, and consider how this regular savings program can benefit you and at the same time help you to join many of your fellow Americans in "Making American Dreams a Reality."

AMERICAN OVERSIGHT

NARA-18-1003-A-004696

DEPARTMENT OF JUSTICE
EXECUTIVE SECRETARIAT CONTROL DATA SHEET

From: BUSH, GEORGE, PRESIDENT OF THE UNITED STATES
To: MEMBERS OF THE CABINET & OTHER OFFICIALS (AG.) ODD: NONE
Date Received: 02-27-92 Date Due: NONE Control #: X92022703351
Subject & Date
02-24-92 MEMO ADVISING THAT HE IS ESTABLISHING THE POLICY COORDINATING GROUP (PCG) TO FACILITATE THE COORDINATION OF DOMESTIC POLICY. PCG WILL INCLUDE ALL CABINET OFFICERS AND OTHER OFFICIALS LISTED IN MEMO. THE PRESIDENT WILL CHAIR THE GROUP AND THE COUNSELLOR TO THE PRESIDENT FOR DOMESTIC POLICY WILL SERVE AS CHAIRMAN PRO TEMPORE. LISTS INFORMATION REGARDING PCG AND PCG EXECUTIVE COMMITTEE MEMBERSHIP, ALONG WITH THE STRUCTURE OF THE PCG.

	Referred To:	Date:		Referred To:	Date:	
(1)	OAG;	02-27-92	(5)			W/IN:
(2)			(6)			
(3)			(7)			PRTY:
(4)			(8)			1S
	INTERIM BY:			DATE:		OPR:
	Sig. For: NONE			Date Released:		MAU

24 FEB 92

Remarks
INFO CC: DAG.

Other Remarks:

JRH/PJF 02-27-92
FILE: PRESIDENTIAL CORRESPONDENCE

REMOVE THIS CONTROL SHEET PRIOR TO FILING AND DISPOSE OF APPROPRIATELY
****

AMERICAN OVERSIGHT

THE WHITE HOUSE

WASHINGTON

February 24, 1992

RECEIVED
DEPARTMENT OF JUSTICE
'92 FEB 27 P4:19
EXECUTIVE SECRETARIAT

MEMORANDUM FOR THE SECRETARY OF STATE
THE SECRETARY OF THE TREASURY
THE SECRETARY OF DEFENSE
THE ATTORNEY GENERAL
THE SECRETARY OF THE INTERIOR
THE SECRETARY OF AGRICULTURE
THE SECRETARY OF COMMERCE
THE SECRETARY OF LABOR
THE SECRETARY OF HEALTH AND HUMAN SERVICES
THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT
THE SECRETARY OF TRANSPORTATION
THE SECRETARY OF ENERGY
THE SECRETARY OF EDUCATION
THE SECRETARY OF VETERANS AFFAIRS
THE UNITED STATES TRADE REPRESENTATIVE
THE DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET
THE CHIEF OF STAFF
THE DEPUTY CHIEF OF STAFF
THE COUNSELLOR TO THE PRESIDENT FOR DOMESTIC POLICY
THE CHAIRMAN, COUNCIL OF ECONOMIC ADVISERS
THE ADMINISTRATOR, ENVIRONMENTAL PROTECTION AGENCY
THE ASSISTANT TO THE PRESIDENT FOR NATIONAL SECURITY AFFAIRS
THE ASSISTANT TO THE PRESIDENT FOR ECONOMIC AND DOMESTIC POLICY

SUBJECT: Policy Coordinating Group

To facilitate the coordination of domestic policy, I am establishing the Policy Coordinating Group.

Policy Coordinating Group Membership

1. The Policy Coordinating Group includes all cabinet officers and other officials listed above. I will chair the Group. The Counsellor to the President for Domestic Policy will serve as Chairman Pro Tempore.

2. Policy Coordinating Group meetings will include those cabinet officers and other officials with a legitimate interest in the issue under consideration.

AMERICAN OVERSIGHT

NARA-18-1003-A-004698

3. The Counsellor to the President for Domestic Policy, in consultation with the PCG Executive Committee, will extend invitations to PCG meetings.

Policy Coordinating Group Executive Committee

The members of the PCG Executive Committee will include:

The President (Chairman)
The Vice President (ex officio)
Counsellor to the President for Domestic Policy
(Chairman Pro Tempore)
Secretary of the Treasury
Director of the Office of Management and Budget
Chief of Staff
Deputy Chief of Staff

The structure of the PCG will include the following elements:

1. The PCG Executive Committee will meet regularly to consider the full range of domestic policy issues. The Executive Committee will be supplemented by representatives of other departments and agencies when issues involving their interests are under consideration.

2. Working groups dealing with major subject areas will develop issues for consideration by the PCG.

- The chairmanship, membership and mandate of these working groups will be determined by the Counsellor to the President for Domestic Policy after consultation with the PCG Executive Committee.

- Normally, the relevant cabinet department or an element of the Executive Office of the President will have lead responsibility and chair the working group.

- These working groups will operate much like the Policy Coordinating Committees (PCCs) in the National Security Council structure.

- Depending on the issue or issue area, the working group might be chaired by a cabinet officer or by a subcabinet official.

- Working groups will address issues requiring immediate resolution and will undertake the development of policy options for new domestic policy initiatives.

AMERICAN OVERSIGHT

NARA-18-1003-A-004699

3. The Secretary of the Treasury will chair a Working Group on Economic Policy that will have responsibility for developing policy on economic issues.

- The cabinet-level Working Group on Economic Policy will establish subcabinet working groups as appropriate.

4. Where there is a question about the handling of an issue which involves economic policy, the Secretary of the Treasury and the Counsellor to the President for Domestic Policy will consult regarding the appropriate assignment of the issue.

5. A Deputies Group, similar to the NSC Deputies Group, will supplement, as appropriate, the activities of the working groups.

- It will resolve issues where possible, and refine options on issues meriting consideration by the PCG.

George Bush

AMERICAN OVERSIGHT

DEPARTMENT OF JUSTICE
EXECUTIVE SECRETARIAT CONTROL DATA SHEET

From: QUAYLE, DAN, THE VICE PRESIDENT OF THE UNITED STATES
To: CERTAIN DEPT. & AGENCY HEADS (AG.) ODD: NONE
Date Received: 02-07-92 Date Due: NONE Control #: X92020702126
Subject & Date
02-04-92 MEMO REGARDING A REDUCTION IN THE BURDEN OF GOVERNMENT REGULATIONS. ADVISES THAT IN ORDER TO ALLOW THE AGENCIES TO DEVOTE THE MAXIMUM AGENCY RESOURCES POSSIBLE TO THE REVIEW, THE PRESIDENT HAS REQUESTED THAT AGENCIES REFRAIN FROM ISSUING NEW REGULATIONS DURING THE 90-DAY PERIOD UNLESS THEY COME WITHIN ONE OF THE EXCEPTIONS IN THE PRESIDENT'S MEMO OF JANUARY 28, 1992. REQUESTS THE AGENCIES TO IMPLEMENT THE PRESIDENT'S REQUEST TO DESIGNATE A **

	Referred To:	Date:		Referred To:	Date:	
(1)	ATR;RILL	02-07-92	(5)			W/IN:
(2)			(6)			
(3)			(7)			PRTY:
(4)			(8)			1
	INTERIM BY:			DATE:		OPR:
	Sig. For: ATR			Date Released:		EHZ

4 FEBRUARY 92

Remarks
** PERMANENT REGULATORY OVERSIGHT OFFICIAL FOR THEIR AGENCY, AFTER CONSULTATION WITH THE COUNCIL, BY THE END OF THE WEEK OF FEBRUARY 3, 1992. ADVISES THAT HE HAS ASKED THE CHAIRMEN OF THE COUNCIL'S WORKING GROUP AND THE EXECUTIVE DIRECTOR TO MEET WITH THE AGENCY HEAD OR DESIGNEE IN THE NEXT FEW DAYS. (SEE E.S. 92012901471 CONTROL SHEET ATTACHED.)
INFO CC: OAG, OAG (MYERS), DAG, OPD.

Other Remarks:
(1) FOR APPROPRIATE HANDLING.
02-10-92 OAG/DEBBIE REQUESTED COPY. YOL
AAG RILL DESIGNATED REP - SEE MEMO FROM DAG TO COMPONENTS E.S. 92012901471.

OLA CONTACT:
PTC 02-07-92
FILE: PRESIDENTIAL/CORRESPONDENCE
CROSS REFERENCES:
1. REGULATIONS

REMOVE THIS CONTROL SHEET PRIOR TO FILING AND DISPOSE OF APPROPRIATELY
****

AMERICAN OVERSIGHT

NARA-18-1003-A-004701

RECEIVED
DEPARTMENT OF JUSTICE
'92 FEB -7 P1:52
EXECUTIVE SECRETARIAT

THE VICE PRESIDENT
WASHINGTON

February 4, 1992

MEMORANDUM FOR CERTAIN DEPARTMENT AND AGENCY HEADS

FROM: THE VICE PRESIDENT

SUBJECT: Reducing the Burden of Government Regulations

In his State of the Union Address President Bush announced a comprehensive program to review existing and upcoming agency programs and regulations to remove unnecessary regulatory burdens that impose needless costs on consumers, cost jobs, and impede economic growth. He asked a working group of the Council on Competitiveness, chaired by Chairman Michael Boskin of the Council of Economic Advisers and Counsel to the President C. Boyden Gray, to coordinate this review.

The President requested that you accelerate issuance of any regulations that encourage growth and increase the creation of jobs. Many of these initiatives -- such as improving access to capital, small business reform, energy and the environment, transportation, exports, communications, biotechnology, and Federal regulations affecting private property, among others -- require coordination among several agencies.

Many such initiatives are already underway in several agencies. For example, last week Deputy Secretary of the Treasury John Robson and outgoing IRS Commissioner Fred Goldberg joined me in announcing several measures, including Security and Exchange Commission reforms, to improve access to capital and to simplify the payroll tax system. With your help, we will have many more initiatives to announce at various points during the 90-day review period.

The President has also requested that during the 90 days you review all existing and planned regulations and programs to determine whether they are consistent with his regulatory principles, and prepare a report describing the results of that review. I want to work with you in developing these reports, which should include regulatory changes to reduce economic burdens and create jobs that you plan to make after the review period ends.

AMERICAN OVERSIGHT
FOIA # 60048 (URTS 16455) DocId: 70106658 Page 381
NARA-18-1003-A-004702

Finally, as you know, in order to allow you to devote the maximum agency resources possible to the review, the President has requested that you refrain from issuing new regulations during the 90-day period unless they come within one of the exceptions in the President's memorandum of January 28, 1992. Of course, the existing procedures of the Paperwork Reduction Act, Executive Order 12291, and Executive Order 12498 will continue to apply to the agencies covered thereby.

I also ask that you implement the President's request to designate a permanent regulatory oversight official for your agency, after consultation with the Council, by the end of this week.

I have asked the Chairmen of the Council's working group and the Council's Executive Director, David McIntosh, to meet with you or your designee in the next few days to facilitate inter-agency cooperation in developing pro-growth regulatory initiatives, to discuss your ideas for the reports to the President containing the results of the review of your regulations, to develop an initial list of priorities and a schedule for their completion, and to answer any questions you may have.

The President's request provides an exciting opportunity for creative thought about how to reduce the burden of excessive regulation and unnecessary red tape. I am looking forward to working with each of you personally to take advantage of this opportunity.

AMERICAN OVERSIGHT

NARA-18-1003-A-004703

THE SECRETARY OF THE TREASURY
THE SECRETARY OF DEFENSE
THE ATTORNEY GENERAL
THE SECRETARY OF THE INTERIOR
THE SECRETARY OF AGRICULTURE
THE SECRETARY OF COMMERCE
THE SECRETARY OF LABOR
THE SECRETARY OF HEALTH AND
HUMAN SERVICES
THE SECRETARY OF HOUSING AND
URBAN DEVELOPMENT
THE SECRETARY OF TRANSPORTATION
THE SECRETARY OF ENERGY
THE SECRETARY OF EDUCATION
THE SECRETARY OF THE INTERSTATE
COMMERCE COMMISSION
THE CHAIRMAN OF THE BOARD OF GOVERNORS OF
THE FEDERAL RESERVE SYSTEM
THE CHAIRMAN OF THE FEDERAL TRADE COMMISSION
THE CHAIRPERSON OF THE FEDERAL DEPOSIT
INSURANCE CORPORATION
THE CHAIRMAN OF THE SECURITIES AND
EXCHANGE COMMISSION
THE CHAIRMAN OF THE FEDERAL
COMMUNICATION COMMISSION
THE CHAIRMAN OF THE FEDERAL MARITIME
COMMISSION
THE CHAIRMAN OF THE EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION
THE ADMINISTRATOR OF THE ENVIRONMENTAL
PROTECTION AGENCY
THE CHAIRMAN OF THE NUCLEAR REGULATORY
COMMISSION
THE CHAIRMAN OF THE COMMODITY FUTURES
TRADING COMMISSION
THE CHAIRMAN OF THE FEDERAL ENERGY
REGULATORY COMMISSION

AMERICAN OVERSIGHT

NARA-18-1003-A-004704

DEPARTMENT OF JUSTICE
EXECUTIVE SECRETARIAT CONTROL DATA SHEET

From: BUSH, GEORGE, PRESIDENT OF THE UNITED STATES
To: DEPARTMENT AND AGENCY HEADS (AG.) ODD: 04-30-92
Date Received: 01-29-92 Date Due: 04-30-92 Control #: X920129014719
Subject & Date
01-28-92 MEMO REGARDING REDUCING THE BURDEN OF GOVERNMENT REGULATION. ASKS THAT EACH AGENCY SET ASIDE A 90-DAY PERIOD, BEGINNING JANUARY 28, 1992, TO EVALUATE EXISTING REGULATIONS AND PROGRAMS AND TO IDENTIFY AND ACCELERATE ACTION ON INITIATIVES THAT WILL ELIMINATE ANY UNNECESSARY REGULATORY BURDEN OR OTHERWISE PROMOTE ECONOMIC GROWTH. LISTS SEVERAL STEPS TO BE TAKEN IN THIS EFFORT. AT THE END OF THE REVIEW PERIOD, EACH AGENCY SHOULD SUBMIT A WRITTEN **

	Referred To:	Date:		Referred To:	Date:	
(1)	OAG;FILES	04-30-92	(5)			W/IN:
(2)			(6)			
(3)			(7)			PRTY:
(4)			(8)			1
	INTERIM BY:			DATE:		OPR:
	Sig. For: AG.			Date Released: 04-30-92		MAU

28 JANUARY 92

Remarks
05-01-92: ATR/RILL RESPONDED TO THE PRESIDENT BY LETTER DATED APRIL 30, 1992. ATR PROVIDED A COPY FOR THE AG W/MEMO FROM ATR/RILL TO THE AG DATED 04-30-92.
EXEC. SEC. PROVIDED COPIES TO DAG, ASG, OPC. (MAU)
(SEE EXEC. SEC. 92050106765, 92052207986.)
05-26-92: COPY PROVIDED TO ATR/KELLY PER REQUEST. (MAU)
SEE E.S. 92081011920

Other Remarks:
(SEE EXEC. SEC. 92112316878.)

OLA CONTACT:
JRH 5/1/92
FILE: PRESIDENTIAL/CORRESPONDENCE
CROSS REFERENCES:
1. REGULATIONS

REMOVE THIS CONTROL SHEET PRIOR TO FILING AND DISPOSE OF APPROPRIATELY
****

AMERICAN OVERSIGHT

NARA-18-1003-A-004705

DEPARTMENT OF JUSTICE
EXECUTIVE SECRETARIAT CONTROL DATA SHEET

From: BUSH, GEORGE, PRESIDENT OF THE UNITED STATES
To: DEPARTMENT AND AGENCY HEADS (AG.) ODD: 04-30-92
Date Received: 01-29-92 Date Due: 04-30-92 Control #: X92012901471
Subject & Date
01-28-92 MEMO REGARDING REDUCING THE BURDEN OF GOVERNMENT REGULATION. ASKS THAT EACH AGENCY SET ASIDE A 90-DAY PERIOD, BEGINNING JANUARY 28, 1992, TO EVALUATE EXISTING REGULATIONS AND PROGRAMS AND TO IDENTIFY AND ACCELERATE ACTION ON INITIATIVES THAT WILL ELIMINATE ANY UNNECESSARY REGULATORY BURDEN OR OTHERWISE PROMOTE ECONOMIC GROWTH. LISTS SEVERAL STEPS TO BE TAKEN IN THIS EFFORT. AT THE END OF THE REVIEW PERIOD, EACH AGENCY SHOULD SUBMIT A WRITTEN **

	Referred To:	Date:		Referred To:	Date:	
(1)	ATR;RILL	01-29-92	(5)			W/IN:
(2)			(6)			
(3)			(7)			PRTY:
(4)			(8)	ATR;RILL	04-30-92	1
	INTERIM BY:			DATE:		OPR:
	Sig. For: AG.			Date Released: SEE "9"		MAU

Remarks
** REPORT TO THE PRESIDENT.
.
INFO CC: OAG, OAG (MYERS), DAG, OPD.
(1) PREPARE RESPONSE FOR AG SIGNATURE AND RETURN TO EXEC. SEC., ROOM 4400-AA, WITH THE INCOMING CORRESPONDENCE FOR TRANSMITTAL TO OAG.
SEE E.S. 92020702126 AND 92042406395, 92042706407

Other Remarks:
03-05-92: W/MEMO FROM OPD TO THE DAG DATED 02-26-92 ATTACHING A MEMO TO ALL COMPONENTS REQUESTING THEM TO EVALUATE THEIR REGULATIONS & REPORT TO OPD BY MARCH 16,1992. AAG/RILL DESIGNATED REP OF WORKING GROUP. ATR CONCURRED WITH MEMO. DAG SIGNED MEMO DATED 03-05-92 & DISPATCHED BY EXEC. SEC. COPY IN AG FILES. (HBR)
LJB 01-29-92
FILE: PRESIDENTIAL/CORRESPONDENCE

REMOVE THIS CONTROL SHEET PRIOR TO FILING AND DISPOSE OF APPROPRIATELY
****

AMERICAN OVERSIGHT

NARA-18-1003-A-004706

U.S. Department of Justice
Antitrust Division

Assistant Attorney General

April 30, 1992

TO: WILLIAM P. BARR
ATTORNEY GENERAL

FROM: JAMES F. RILL
Assistant Attorney General
Antitrust Division

RE: DOJ Review Efforts in Response to the President's Memorandum

The attached is in response to the President's 90-day review period and moratorium.

AMERICAN OVERSIGHT

NARA-18-1003-A-004707

U.S. Department of Justice

Antitrust Division

RECEIVED
DEPARTMENT OF JUSTICE

Office of the Assistant Attorney General *Washington, D.C. 20530*

'92 APR 30 P2:47

April 30, 1992

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

In response to your memorandum of January 28, 1992, I am pleased to transmit to you on behalf of the Department of Justice a report describing the fruits of the regulatory review effort within the Department during the 90-day review period. Although the Department is not a major initiator of regulatory requirements that impose a major cost on the economy, we have found the review process to have been very worthwhile.

In particular, several new initiatives have been announced during the 90-day period and are discussed in the enclosed report. Among these initiatives are the new Horizontal Merger Guidelines announced by the Antitrust Division and the Federal Trade Commission, the application of U.S. antitrust laws to foreign cartels, the encouragement of greater use of administrative procedures under the Civil Rights of Institutionalized Persons Act to resolve state inmate grievances outside of litigation, the sharing of merger-related information with the states, and we believe that this review process will yield additional benefits as we continue to review regulations over time. The standards set forth in the January 28 memorandum will be used to guide all future rulemaking by the Department of Justice.

Sincerely,

James F. Rill
Assistant Attorney General

Enclosure

AMERICAN OVERSIGHT

NARA-18-1003-A-004708

April 29, 1992

DEPARTMENT OF JUSTICE REGULATORY REVIEW EFFORTS IN RESPONSE TO THE PRESIDENT'S MEMORANDUM OF JANUARY 28, 1992

The Department of Justice is committed to the full implementation of the principles set forth in the President's memorandum of January 28, 1992. Within the Department of Justice, a number of efforts have been undertaken in response to the President's memorandum. Though the Department has relatively few substantive regulations in comparison with other Departments, we have been able to identify several areas where improvements can be made to reduce unnecessary burdens or restrictions, and to assist affected entities in understanding and complying with regulatory requirements.

In addition, under the leadership of James F. Rill, Assistant Attorney General for the Antitrust Division, the Department has participated actively in the inter-agency review process in order to reduce or eliminate unnecessary burdens in the transportation field.

Overview of Regulations by the Department of Justice

By far, the bulk of the Department's responsibilities relate to law enforcement activities and the representation of the interests of the United States in litigation. In that connection, the Department has worked aggressively to implement Executive Order No. 12778, Civil Justice Reform.

Although the Department of Justice comprises a wide variety of components and responsibilities, it is not a major initiator of regulatory requirements. Many components of the Department have no regulations of their own, other than organizational and procedural regulations governing the internal actions of that component. This is not surprising, given the Department's primary mission in law enforcement, investigation and prosecution in criminal cases, and its role as the government's lawyer in civil cases. It is rare that one of the Department's own regulations can be classified as a "major rule" under Executive Order No. 12291.

The major regulatory component of the Department is the Immigration and Naturalization Service (INS), which administers regulations governing the admission of legal immigrants and temporary visitors, apprehension and deportation of illegal aliens, employment verification and employer sanctions under the Immigration Reform and Control Act of 1986, asylum, and naturalization of citizens. Due to legislative activity, INS has been especially active the last 16 months in the regulatory arena. Enactment of the Immigration Act of 1990 has required INS to revise substantial portions of its regulations relating to legal immigration, temporary visitors, and criminal aliens. Although a large number of regulations have already been issued under the 1990 Act, many other proposed or final rules are still pending. As discussed below, the Department has strengthened its procedures to scrutinize

AMERICAN OVERSIGHT

NARA-18-1003-A-004709

new immigration regulations in response to the President's initiative, both within INS's decision-making processes and during the Department's review process.

The Civil Rights Division is the only other component of the Department of Justice to have published regulatory requirements that have a substantial impact upon the economy. Last year, after a long and careful process of deliberation and review within the Administration, the Department published the final regulations to implement Titles II and III of the Americans with Disabilities Act (ADA).

Among the rest of the Department's components, the Criminal Division has regulations implementing the Foreign Agents Registration Act, the Foreign Corrupt Practices Act, and the child pornography laws, and the Civil Division has regulations under the Federal Tort Claims Act and the Radiation Exposure Compensation Act. The Bureau of Prisons (BOP) has a variety of regulations governing prisoner conduct and conditions. The Office of Justice Programs has regulations governing the administration of its various grant programs to state and local law enforcement agencies and other grantees. The Drug Enforcement Administration (DEA) has regulations governing the distribution and marketing of legal controlled substances. The Justice Management Division (JMD) has various personnel and acquisition regulations.

I. DESCRIPTION OF ACTIONS TAKEN PURSUANT TO THE 90-DAY REVIEW

A. Modifications to Existing and Planned Regulations

1. Horizontal Merger Guidelines. On April 2, 1992, the Department of Justice and the Federal Trade Commission issued the 1992 Horizontal Merger Guidelines. The 1992 Guidelines should materially enhance competition and eliminate unnecessary business uncertainty for three reasons:

- The analysis set forth in the 1992 Guidelines reflects the advances in economic and legal thinking since the issuance of the 1984 Guidelines, and represents the next logical step in the evolution of the principles set forth in the 1984 Guidelines. Decisions based on the 1992 Guidelines will be made with the benefit of this improved analysis, which accounts more accurately for real market conditions.

- These Guidelines provide an improved and more complete picture of the merger analysis to be applied by the agencies, so that businesses can more accurately plan their activities to comply with agency standards.

- These Guidelines are the first to be issued jointly with the Federal Trade Commission. Both agencies now will apply the same analytical standards to mergers, so that results should not differ depending on which agency reviews a particular transaction. Businesses can use this to their advantage by planning their actions with a new sense of predictability and consistency.

AMERICAN OVERSIGHT
FOIA # 60048 (URTS 16455) DocId: 70106658 Page 389
NARA-18-1003-A-004710

2. Asset Forfeiture. Federal forfeiture statutes authorize the Attorney General (for agencies within the Department) to administratively "pardon" a person whose property has been forfeited to avoid harshness. This administrative process allows persons affected by forfeitures to petition for "remission or mitigation of forfeiture." Currently, a single set of regulations governs petitions filed with the Department in judicial forfeiture cases, and with the FBI and DEA in administrative forfeiture cases. However, four separate petition regulations have been established for administrative forfeiture cases involving the Immigration and Naturalization Service, the Postal Inspection Service, the Bureau of Alcohol, Tobacco and Firearms, and the U.S. Customs Service. Moreover, the Internal Revenue Service and the Secret Service have begun developing petition regulations to govern their seizures and administrative forfeitures. This proliferation of petition regulations could prove confusing for both citizens and private attorneys and lead to inconsistent results.

Accordingly, the Department of Justice has initiated an interagency initiative to develop a comprehensive set of petition regulations to govern all federal forfeitures. The goal is to produce a clear, understandable and accessible body of regulations for use by the public and all federal agencies. The initiative seeks to address all forms of petitions for remission or mitigation and should enhance predictability of result in the petition process thereby providing clarity and certainty to the regulated community.

3. Inmate Grievance Procedures. On April 24, 1992, the Attorney General approved a proposed rule clarifying the language of the regulations governing certification of state grievance procedures under the Civil Rights of Institutionalized Persons Act, Pub. L. 96-247, 94 Stat. 349, codified at 42 U.S.C. § 1997, in order to reduce federal burdens and encourage state initiatives. The current rule, 28 C.F.R. Part 40, establishes requirements that have been criticized as "go[ing] beyond the strict language of the statute,"[1] and in particular has been perceived as requiring that inmates sit on panels adjudicating other inmates' grievances. Chiefly at issue is the regulatory requirement that states permit inmates to participate at a minimum "in an advisory capacity in the disposition of grievances challenging general policy and practices," and in certain cases "opportunity for such participation shall occur before the initial adjudication of the grievance." 28 C.F.R. § 40.7(b).

Relatively few states and localities have availed themselves of inmate grievance procedures under this statute. This is a lost opportunity because as many as 50% of prisoner claims can be resolved voluntarily without the need for federal court intervention. CRIPA provides a voluntary grievance resolution process; inmates are free to resume their federal case if unhappy with the results.

Participation by states and local governments in the inmate grievance process under CRIPA is optional. Because effective administrative resolution of state inmate grievances is in the best interest of prisoners, state and local authorities, and the federal courts, the

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[1] 1 Working Papers and Subcommittee Reports, Federal Courts Study Committee at 391 (July 1, 1990).

AMERICAN OVERSIGHT

NARA-18-1003-A-004711

Department of Justice is encouraging the development of fair and effective administrative procedures by revising the existing rule to eliminate unnecessary language which may have been perceived by State and local authorities as unhelpful.

In the meantime, the Department of Justice has recently certified four state inmate grievance plans (Missouri, Kansas, Florida, and Hawaii) under a new policy to encourage greater use of the CRIPA mechanism. In addition, the Department has prepared an informational handbook to encourage other states to take advantage of this successful alternative dispute resolution mechanism.

4. Employment for F-1 Student Non-immigrants. In response to proposals received during the review period, the Department anticipates a revision to the INS regulations at 8 C.F.R. § 241.2(f). Section 208 of the Immigration Act of 1990 established a new pilot program for unrelated, off-campus employment for foreign students, but subject to rigorous labor certification requirements to prevent the displacement of domestic workers. In implementing this pilot program, INS abolished two pre-existing work programs for foreign students, one for practical training programs related to the student's course of study, and another for unrelated employment for foreign students who unexpectedly meet financial difficulty staying in school in the U.S. Interested representatives of schools and businesses advise that these changes have had a strongly deleterious (and unintended) effect on practical training opportunities and aliens in exigent circumstances. INS will consider reinstate regulations governing the practical training program, and will evaluate the possibility of reinstatement of the exigent circumstances rule as well.

5. Employer Sanctions. In testimony before the Subcommittee on Immigration of the Senate Committee on the Judiciary, April 3, Commissioner McNary committed the INS to conduct a thorough review of the document requirements of INS Form I-9, which is used to certify the employment eligibility of all workers, as part of the employer sanctions process established by the Immigration Reform and Control Act of 1986. As discussed more thoroughly below, INS is in the process of eliminating documents which it has previously issued to show employment eligibility, thus attempting to reduce the concerns of those who believe that confusion over these documents has contributed to employment discrimination based upon national origins or citizenship status.

6. Federal Tort Claims Act (FTCA). The Department has prepared proposed amendments to 28 C.F.R. Part 14 (administrative claim requirements and procedures) to provide guidance to agencies on the use of alternative disputes resolution in the course of administrative consideration of FTCA claims. In addition, the Department is actively considering a delegation of authority to the Secretary of Transportation increasing the authority of that agency to settle FTCA claims administratively.

The Department also has drafted a proposed regulatory change to increase agency authority to settle and waive claims under 28 C.F.R. Part 43, which implements the Medical Care Recovery Act, providing for the recovery of the cost of hospitalization, medical care and treatment furnished by the United States when the United States is entitled under the Act to be reimbursed by a third party.

AMERICAN OVERSIGHT

NARA-18-1003-A-004712

B. New Pro-Growth Regulations

1. Application of U.S. Antitrust Laws to Foreign Cartels. On April 3, 1992, the Department of Justice announced that it would no longer refrain from challenging foreign cartels whose activity harms U.S. export trade. The new policy is consistent with the statutory language of the Foreign Trade Antitrust Improvement Act of 1982. Law and policy dictate that conduct that would be illegal in the U.S. and has a direct, substantial and reasonably foreseeable effect in the U.S., should not be immune from antitrust enforcement simply because it occurs overseas. The new policy actually marks a return to the successful policy held by the Department until 1988, when a footnote in the Department's 1988 Guidelines for International Operations suggested that the Department would not enforce the U.S. antitrust laws against foreign cartels unless they harm U.S. consumers.

2. Information Sharing with the States. On March 6, 1992, the Department of Justice announced a new procedure whereby parties to a merger can, at their election, waive existing confidentiality rules, so that Federal and State competition authorities may share information filed by the parties in one jurisdiction or the other. This should eliminate the need for the parties to make duplicate or inconsistent filings, which up to now has in some cases proven to be a substantial burden in time and cost. We are hopeful that parties who avail themselves of the new procedure will find these burdens significantly reduced.

The Federal Trade Commission has also filed notice in the Federal Register that it intends to adopt a similar program.

3. Foreign Corrupt Practices Act. On January 9, 1992, the Department published for public comment a proposed regulation which would establish a Foreign Corrupt Practices Act Opinion Procedure as required by Pub. L. No. 100-418, § 5003. Under the proposed regulation, publicly held corporations, other businesses, and individuals could obtain an opinion from the Attorney General as to whether specified prospective conduct would, for purposes of the Department's present enforcement policy, violate the anti-bribery provisions of FCPA.

The proposed regulation is consistent with purposes of the President's memorandum. It should provide clarity and certainty to regulated parties, thereby avoiding needless ambiguity and litigation. Additionally, it is expected that the proposed clarification of the procedure for obtaining an opinion letter from the Department will encourage such requests and thus foster compliance with FCPA. This regulation should be finalized in the coming weeks.

II. DESCRIPTION OF REGULATORY PROGRAMS FOR WHICH NO CHANGE IS MADE PURSUANT TO THE 90-DAY REVIEW

This section of the report describes the regulations of the various components of the Department as to which no change is proposed at this time. However, we note that, with respect to some of these regulations, consideration is being given to possible changes that may be proposed in the future, depending upon the results of the Department's evaluation.

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Many of the Department's regulations are for organizational purposes or for internal management and operations. Part 0 of 28 C.F.R. sets forth the organizational structure of the Department of Justice, and includes many delegations of authority to the Department's components, as well as limitations on that authority. For example, Subpart Y of Part 0, 28 C.F.R. § 0.160 et seq., contains the Department's regulations governing the exercise of settlement authority in litigation, reserving certain authority only for the Deputy Attorney General while delegating specified authority to the Assistant Attorneys General in charge of the litigating divisions and other authority to the United States Attorneys. This analysis does not include regulations that are purely organizational or contain only internal operating procedures.

A. Antitrust Division

1. Newspaper Preservation Act, 18 U.S.C. § 1801, et seq. The Act provides that certain joint operating arrangements (JOAs) may receive antitrust immunity where the Attorney General has made a factual finding that (i) one of the newspapers is a "failing newspaper", and (ii) granting the exemption would effectuate the policy and purpose of the Act. The Department's regulations (28 C.F.R. Part 48) under this Act are purely procedural; they simply set forth the procedures by which parties may apply to the Attorney General for a review of and antitrust exemption for their proposed JOA. The regulations do not impose a substantial cost on the economy and do not meet the threshold standard for review under the President's memorandum.

B. Bureau of Prisons

1. Custody and Treatment of Inmates. The rulemaking undertaken by the Bureau of Prisons is for the purpose of providing for the safekeeping, care, custody, control, treatment, and instruction of inmates confined in Federal correctional facilities. These regulations, which are codified at 28 C.F.R. Chapter V, Parts 500-572, serve an important criminal law enforcement function of the United States and do not impose a substantial cost on the economy.

2. Federal Prison Industries, Inc. (UNICOR). UNICOR has regulations governing the compensation of inmates injured in accidents while carrying out responsibilities in the UNICOR program, as well as regulating the salary and work schedules of inmates for UNICOR labor. These regulations, codified at 28 C.F.R. Parts 301 and 345, do not impose a substantial cost on the economy.

3. Entry by UNICOR into New Product Lines. UNICOR has adopted internal operating procedures for the implementation of 18 U.S.C. § 4122, which establishes procedures for involving private industry in UNICOR decisions to produce new products or significantly expand production. These procedures have not been issued as regulations. Although new product decisions by UNICOR do not impose any regulatory burden on the private sector, as such, UNICOR's actions can have an impact in the private sector by providing alternative sources of supply. These procedures are intended to promote full consideration by UNICOR of the impact that its decisions may have on companies in the

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private sector, as well as recognizing the critical importance of maintaining and expanding UNICOR's operations as a means of maintaining discipline and vocational training for a rapidly growing federal prison population. In order to facilitate application of these new procedures, BOP has recently hired a full-time ombudsman to consider comments and complaints from the private sector regarding the activities of UNICOR.

C. Civil Division

1. Federal Torts Claims Act. The Department's regulations governing claims under the Federal Tort Claims Act (FTCA) are set forth in 28 C.F.R. Parts 14 and 15. Part 14 sets forth regulations, applicable to every agency, regarding the administrative claim requirements and procedures for FTCA claims. As noted above, the Department has proposed revisions to increase agency utilization of alternative disputes resolution techniques in the course of administrative consideration of FTCA claims, and to increase the level of agency settlement authority for FTCA claims. Part 15 specifies the procedures to follow when a person has been sued under circumstances where the person or his agency believe that the FTCA provides an exclusive remedy. No other revisions are in progress.

2. Radiation Exposure Compensation Act. The Act provides for compassionate payments to persons who were exposed to fallout and radiation from the Federal Government's nuclear weapons testing program and who subsequently developed certain specified cancers or other serious non-malignant respiratory diseases. The Department's final regulations to implement this Act (28 C.F.R. Part 79) were reviewed under the standards of the President's memorandum of January 28, 1992, approved by OMB, and published on April 10, 1992. These regulations will not "impose a substantial burden on the economy." This rule does not regulate business nor will it have an effect on emerging technologies and markets. It will not impose any costs on consumers or impede economic growth. Changes were made in the drafting of the final regulation to avoid unnecessary hurdles for claimants seeking to establish eligibility.

3. Federal Employee Representation. 28 C.F.R. §§ 50.15 and 50.16 describe the conditions under which a federal employee sued in his individual capacity may be represented by, or at the expense of, the Department of Justice. In addition, these regulations provide the terms of such representation. These regulations impose no burden on the economy. By allowing this representation, the regulations operate to mitigate the substantial burden that can be imposed upon government officials when they are sued in their individual capacity.

4. Civil Penalties Under the Anti-Drug Abuse Act. Section 6486 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 844(a), provides for a civil penalty not to exceed $10,000 for knowingly possessing certain designated controlled substances in "personal use amounts," as defined in regulations promulgated by the Attorney General. Following review of extensive comments received from various individuals and organizations involved in criminal justice administration, the Department published a final rule, 28 C.F.R. Part 76, on January 11, 1991. This regulation establishes procedures for imposing civil penalties and specifies the appeal rights of persons subject to a civil penalty under § 6486. The Depart-

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ment's plan is to implement the civil drug penalty program on a pilot basis through six United States Attorney's offices, when funding is available to hire administrative law judges on a contract basis to implement the pilot program.

D. Civil Rights Division

The Civil Rights Division has four types of regulations prohibiting discrimination under the provisions of federal law. These are 1) regulations implementing Titles II and III of the Americans with Disabilities Act (ADA); 2) regulations prohibiting discrimination in programs or activities conducted by the Department; 3) regulations prohibiting discrimination in programs or activities receiving financial assistance from the Department; and 4) regulations implementing the Department's responsibility for coordinating the non-discrimination regulations of other Executive Departments and agencies.

1. Americans with Disabilities Act. On July 26, 1991, the Department adopted two separate regulations to implement the Americans with Disabilities Act (ADA), 42 U.S.C. § 12131.

- 28 C.F.R. Part 35 implements Subtitle A of title II, which prohibits discrimination on the basis of disability by State and local government entities.

- 28 C.F.R. Part 36 implements title III, which prohibits discrimination on the basis of disability by public accommodations and requires places of public accommodation and commercial facilities to be designed, constructed, and altered in compliance with accessibility standards established by that Part.

These regulations were adopted after a series of public hearings on the proposed rules were held across the country. Prior to publication, these regulations were submitted to and approved by OMB under Executive Order 12291. For the Title III regulations, the Department prepared a preliminary RIA pursuant to Executive Order 12291, which was review and approved by OMB. Based on comments received from OMB, the Department issued a revised RIA. Although both the Department and OMB agreed that the title II regulation was not a major rule requiring a Regulatory Impact Analysis (RIA) under Executive Order 12291, the Department prepared a preliminary RIA because of the wide-ranging impact of the ADA. The RIA was reviewed and approved by OMB.

The title II and title III regulations were recently reviewed and approved by OMB, after extensive analysis within the Administration. Although the President's memorandum was issued later, its standards are comparable to the principles under which the draft regulations were evaluated. Information regarding compliance with such standards is contained in the RIAs prepared with respect to these regulations.

2. Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the Department of Justice. The Department of Justice has published regulations at 28 C.F.R. Part 39 which prohibit discrimination on the basis of handicap in programs or activities conducted by the Department. This regulation, which implements section 119

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of the Rehabilitation, Comprehensive Services, and Developmental Disabilities Act of 1978, is for internal Department of Justice purposes only and imposes no costs on the economy.

3. Nondiscrimination in Federally Assisted Programs. The following regulations, which prohibit discrimination in federally assisted programs, are limited to the recipients of financial assistance from the Department.

- 28 C.F.R. Part 42, Subpart C implements the provisions of title VI of the Civil Rights Act of 1964, 78 Stat. 252, that provide that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in or be denied the benefits of, or otherwise subjected to discrimination under any such program or activity. Elimination of discrimination on these grounds does not impose costs on the economy but, instead, eliminates the cost of inefficiencies resulting from irrational discrimination.

- 28 C.F.R. Part 42, Subpart G implements section 504 of the Rehabilitation Act, as amended, which prohibits discrimination on the basis of handicap. These regulations were published in 1980. Thus, most recipients of Federal financial assistance from the Department of Justice have been subject to these regulatory requirement for a substantial period of time and continued compliance should not impose any substantial cost on the economy.

4. Coordination Regulations. Finally, the Department has several regulations to implement Executive Order 12250, which directs the Department of Justice to coordination the implementation of nondiscrimination regulations adopted by other Executive agencies with respect to programs or activities receiving federal financial assistance from those agencies. These regulations do not impose a substantial cost on the economy. Instead, they promote the efficient operation of the Federal agencies by coordinating the activities of those agencies that provide Federal financial assistance.

- 28 C.F.R. Part 41 implements the portion of Executive Order 12250 that requires the Department of Justice to coordinate the implementation of section 504 of the Rehabilitation Act of 1973 by other Federal agencies to eliminate discrimination on the basis of handicap.

- 28 C.F.R. Part 42, Subpart F implements the portion of the Executive Order 12250 that requires the Department of Justice to coordinate the respective obligations of Federal agencies regarding the enforcement of title VI of the Civil Rights Act of 1964 and similar provisions in the Federal grant statutes to the extent they relate to prohibiting discrimination on the ground of race, color, or national origin in programs receiving Federal financial assistance.

- 28 C.F.R. Part 42, Subpart H (Procedures for Complaints) implements the portion of Executive Order 12250 that requires the Department of Justice to implement procedures for processing and resolving complaints of employment discrimination filed against recipients of Federal financial assistance subject

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to title VI of the Civil Rights Act of 1964, title IX of the Education Amendments Act of 1972, 42 U.S.C. §§ 2000d to 2000d-4, the State and Local Fiscal Assistance Act of 1972, as amended, 31 U.C.C. § 1221, et seq., and provisions similar to title VI and title IX in Federal grant statutes. Enforcement of such provisions in Federal grant statutes is covered by this regulation to the extent that they relate to prohibiting employment discrimination on the ground of race, color, national origin, religion, or sex in programs receiving Federal financial assistance of the type subject to title VI or title IX. This regulation promotes the efficient operation of the Federal government by coordinating the activities of those agencies that provide Federal financial assistance in investigating and resolving complaints of employment discrimination filed against recipients of such financial assistance.

E. Criminal Division

1. Foreign Agents. The Internal Security Section of the Criminal Division administers and enforces four criminal statutes, each requiring formal regulations. The statutes are: the Foreign Agents Registration Act, 22 U.S.C. § 611, et seq.; Notification to the Attorney General by Agents of Foreign Governments, 18 U.S.C. § 951; Registration of Certain Persons Under the Act of August 1, 1956, 50 U.S.C. § 851, et seq.; and Registration of Certain Organizations Under the Act of October 17, 1940, 18 U.S.C. § 2386. These regulations, 28 C.F.R. Parts 5, 10, 12, and 73, provide the guidance necessary to comply with the disclosures required by the respective statutes. These regulations do not impose needless costs on consumers nor substantially impede economic growth. All four statutes are essential to a criminal law enforcement function of the United States.

The Department is currently taking steps to reduce the paperwork burden on registrants who must complete disclosure forms required by regulations promulgated under the Foreign Agents Registration Act. On January 7 and January 8, 1992, the Department sent letters to all current registrants asking for their comments and suggestions on reducing the paperwork burdens associated with the Initial Registration, Supplemental Statement, and Short-Form Registration forms. A draft regulation should be ready for action in May 1992.

2. Protection of Federal Officials. The Terrorism and Violent Crime Section of the Criminal Division has statutory jurisdiction over 18 U.S.C. § 1114, and related statutes, which provide for the protection of officers and employees of the United States. Section 1114 authorizes the Attorney General to designate by regulation additional federal officials for coverage under these statutes. This regulation is mandated by statute, does not impose a substantial burden on the economy, and is essential to a law enforcement function of the United States.

3. Child Pornography. The Child Exploitation and Obscenity Section of the Criminal Division has statutory jurisdiction over the Child Protection Restoration and Penalties Enhancement Act, 18 U.S.C. § 2257. As required by statute, the Department's regulations require producers of sexually explicit portrayals to maintain certain records concerning the identity and age of participants to deter the use of minors. These regulations

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(28 C.F.R. Part 75) are essential to a criminal law enforcement function of the United States and do not impose a substantial cost on the economy. Further, the expected benefit to society of this regulation from deterring the abuse of minors in sexually explicit portrayals clearly outweighs the potential burden associated with it.

F. Drug Enforcement Administration

Pursuant to 21 U.S.C. § 811(a), any amendments to the controlled substances schedules "shall be made on the record after opportunity for a hearing." The Drug Enforcement Administration's regulations implementing this provision, 21 C.F.R. Part 1308, are procedural provisions governing such hearings before an Administrative Law Judge (ALJ). Proceedings to revoke or deny a registration or an application are also formal proceedings conducted before an ALJ, and the DEA procedural regulations are set forth at 21 U.S.C. Part 1316.

DEA's other regulations relate to registration, record-keeping, reporting, fees, and security of the licit controlled substance industry. With respect to fees, the amounts the DEA charges registrants could at best be classified as de minimis. For example, for each manufacturer, the initial application fee is only $250. 21 C.F.R. § 1301.11. The President's directive addresses regulations which impose a "substantial cost" on business or the public. DEA believes that its fee structure does not meet this test.

The regulations requiring adequate security for controlled substances by registrants, 21 C.F.R. § 1301.71 et seq., again could be argued as being, if not de minimis, certainly not imposing a substantial cost on the industry. Moreover, these costs, as well as those which may be associated with the recordkeeping and reporting requirements of the Controlled Substances Act, 21 C.F.R. Parts 1304 and 1310, are clearly outweighed by the benefits to society in protecting against the diversion of controlled substances to the illicit market and the illicit manufacture of controlled substances. Controlled substances, by their very nature, have a potential for abuse and, therefore, these regulations are necessary to provide adequate mechanisms of control.

G. Executive Office for Immigration Review (EOIR)

Both existing and proposed regulations governing matters over which EOIR has administrative responsibility are in compliance with the standards of the President's memorandum. Furthermore, neither the existing regulations nor the regulations proposed for publication by EOIR will unnecessarily burden U.S. businesses or inhibit the competitiveness or economic growth of the United States.

EOIR has three regulatory proposals currently awaiting publication in the Federal Register. The proposed regulations address: 1) rules and procedures before immigration judges; 2) motions and appeals in immigration proceedings; and 3) rules on termination of conditional lawful permanent resident status for alien entrepreneurs. These regulations will carry out the mandates of Congress and the President in the Immigration Act of 1990. The

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regulations proposed by EOIR will have no discernible effect on the economy of the United States, U.S. businesses. or the competitiveness of the United States in international trade.

H. Executive Office for United States Trustees

28 C.F.R. Part 58, implementing the Bankruptcy Reform Act of 1978, sets forth the minimum qualifications and eligibility standards for individuals who seek to be appointed as a standing trustee or to serve on a panel of chapter 7 trustees to administer the assets on bankruptcy estates. These regulations do not burden the economy or the public. To the contrary, the public interest is benefitted by such minimum standards.

The Department currently is in the process of drafting amendatory language to raise the minimum standards set forth in Part 58. These changes will be made in compliance with the standards set forth in the President's memorandum.

I. Federal Bureau of Investigation

28 C.F.R. §§ 16.30-16.34 govern the production of FBI Identification Records (arrest and conviction records or "Rap Sheets") in response to written requests by the subjects thereof. These regulations do not impose a substantial cost on the economy. The FBI charges a standard fee to requesters to defray the costs.

J. Immigration and Naturalization Service

INS has been especially active in the last 16 months, having prepared probably over 50 regulations to implement various provisions of the Immigration Act of 1990 (IMMACT), which substantially revised the laws governing legal immigration as well as many criminal enforcement matters.

As part of the process of responding to the President's memorandum, and recognizing the importance of comments by private persons and immigration attorneys in assisting the review of INS regulations, INS published a notice in the Federal Register on March 30 (57 Fed. Reg. 10743), inviting public comments by April 29, 1992 on regulations that may be burdensome or otherwise appropriate for review under the standards of the President's memorandum. Some comments have already been received, and the Department will promptly address any comments that may be received after this report is prepared. INS will complete its review of these comments promptly after the comment period ends.

1. Asylum. The 1990 final asylum regulations abandoned the former INS practice of adjudicating asylum petitions in the district offices and created a specialized corps of asylum officers to hear such petitions. The new system fully took effect on April 1, 1991, and additional personnel have since been approved. Unfortunately, because of prior backlogs of cases, shortcomings in the asylum offices' procedures, the requirements of the new regulations, and unanticipated international developments (particularly in Haiti), the new asylum corps has not been as productive as it should be. Moreover, their docket is growing rapidly because of applicants who abuse the process to get interim work authoriza-

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tion. Accordingly, even before the beginning of the review period, a Department-wide working group has been actively developing a series of administrative and regulatory changes to improve the management of the asylum process, in order to grant meritorious claims promptly while weeding out frivolous petitions.

2. Nonimmigrant visas. INS has developed revisions to its regulations governing admission of temporary nonimmigrants for business, as well as for the new O and P visas (for prominent aliens in the arts, entertainment, sports, etc.), which has been a very troublesome issue with the affected industries. These regulations, which are intended to reduce the burden on employers in filing for visas for aliens in these categories, and to allow them more flexibility, have already been approved by the Department and are pending in the OMB review process.

3. Air Carrier Fines. The Air Transport Association has filed a petition with INS seeking a "Carrier Compliance Initiative" that would provide grounds for mitigation of fines imposed upon air carriers transporting aliens ineligible for admission to the United States. In recognizing the severity of illegal entry at airports only last year, Congress authorized substantial increases in the civil money penalties. To date, that increase in penalties has not resulted in a reduction of the violations encountered, but has resulted in a substantial gain in fine revenues. The "Carrier Compliance Initiative" proposed in the petition appears to add little incremental effort to deter illegal entry, but could reduce revenues which are used directly for detention costs associated with the program. INS will review allegations about inconsistencies in its operations, but is interested in seeing more results from compliance efforts before modification of current fine levels.

Forms Reduction. INS has been very aggressive during the past several years in achieving reductions in the number of form creation, as well as ensuring that the Administration's paperwork Reduction Goals are achieved. To date, these forms reduction efforts have resulted in the cancellation of 177 forms and the establishment of an automated Forms Control Tracking System to improve the monitoring and tracking of all INS forms created, revised and canceled. This has served as an excellent tool in avoiding duplication.

A related major initiative, the Forms Improvement Project, began in 1989. The project involves the review of 61 forms and documents used in the adjudication and naturalization process. The goals are to simplify filing requirements, improve service, reduce the information burden on the applicants (public), refocus questions to obtain necessary information without requesting ancillary data, and also to improve internal processing in order to expedite the adjudications of decisions on applications and petitions for benefits. To date, the current effort to reduce the reporting burden on individual applicants has focused on the forms themselves with the incorporation of a number of strategies to meet the goals. These are: 1) forms consolidation; 2) refining what information is required; and 3) documentation, standardization and clearer instructions.

The project involves three phases, two of which have been accomplished: Phase 1 consolidated 20 forms into 6, 2 of which were revised for other INS benefit programs, and Phase 2 consolidated 28 forms into 13 with 1 new form created. Phase 3 will result in the

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consolidation of 7 forms into 3, with 3 other forms being revised. Action to date has resulted in the elimination of 18 adjudication/naturalization forms (Public Use Forms).

K. Justice Management Division (JMD)

1. Federal Claims Collection Standards. Pursuant to 31 U.S.C. § 3711(e)(2), the Attorney General and the Comptroller General jointly issue regulations, 4 C.F.R. Parts 101-105, for the heads of executive and legislative agencies to use in collecting or compromising federal debts arising under their programs. On behalf of the Attorney General, these regulations are drafted and administered jointly by JMD's Office of Debt Collection Management and the Department's Civil Division. The regulations instruct federal agencies in the procedures to follow to collect debts owed to the United States and prepare such debts for referral to the Department for litigation and contain provisions authorizing the privatization of portions of the collection process. These regulations are largely internal to the federal government in application and do not impose, in any event, a substantial cost on the economy.

2. Debt Collection, Pursuant to 31 U.S.C. § 3718(b)(1)(A), JMD administers regulations, 28 C.F.R. §§ 11.1-11.3, to implement a Department pilot program (currently due to expire on September 30, 1992, see Dire Emergency Supplemental Appropriations Act of 1990, Pub. L. No. 101-302, Title II, 104 Stat. 213, 216 (1990)), designed to privatize the collection of debts owed to the United States by providing for the retention, pursuant to standard competitive procurement procedures, of private counsel to collect such debts. In addition, JMD administers regulations establishing procedures to refer debts owed to the United States to the Internal Revenue Service for collection by tax refund offset. 28 C.F.R. § 11.10; see also Proposed Rule, 56 Fed. Reg. 8,734 (1991) (proposing, inter alia, to broaden the regulation's coverage to include organizations and entities in addition to individual debtors and to include debts that are legally enforceable but not reduced to judgment). These regulations do not impose a substantial cost on the economy.

3. Administrative Offset of Employee Salaries. Pursuant to 5 U.S.C. § 5514 and 31 U.S.C. § 3716, JMD has drafted a Proposed Rule, 56 Fed. Reg. 49,729 (1991) (to be codified at 28 C.F.R. Part 11), to establish procedures for the collection, by administrative offset of the salaries of Department employees, of debts owed to the United States. These proposed regulations are almost wholly internal to the Department in application and thus do not impose a substantial cost on the economy.

4. Implementation of Executive Order No. 12356, "National Security Information". 28 C.F.R. Part 17 contains the Department's regulations implementing Executive Order No. 12356, and establishes procedures for the protection of national security information within the Department. These regulations are almost wholly internal to the Department in application and thus do not impose a substantial cost on the economy.

5. Standards of Conduct. 28 C.F.R. Part 45 contains the Department's regulations, issued pursuant to various statutes, Executive Orders, and regulations, relating to conflicts of interest and ethical standards of behavior. These regulations, which prescribe

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standards, policies, and instructions relating to the conduct and behavior of Department employees and former Department employees, will be largely superseded when the Office of Government Ethics promulgates its new government-wide regulations, to be codified at 5 C.F.R. Part 2635.

6. Program Fraud Civil Remedies Act of 1986. 28 C.F.R. Part 71 sets forth the Department's regulations, pursuant to 31 U.S.C. § 3809, establishing administrative procedures for imposing civil penalties and assessments against persons who make, submit, or present, or cause to be made, submitted, or presented, false, fictitious, or fraudulent claims or written statements to authorities or to their agents. These regulations do not impose a substantial cost on the economy.

7. Justice Property Management. Pursuant to the Federal Property Management Regulations, 41 C.F.R. Chapter 101 (the FPMR), separate regulations were established in 41 C.F.R. Chapter 128 to provide supplemental Department property management policies and procedures. As such, those regulations cover only those areas where specific agency implementation is required by the FPMR or where Department policies or procedures exist that supplement FPMR coverage. These regulations do not unnecessarily repeat or supplement the FPMR and are almost wholly internal to the Department in application, and thus do not impose a substantial cost on the economy.

8. Acquisition. Pursuant to the Federal Acquisition Regulations, 48 C.F.R. Chapter 1 (FAR), these regulations were established in 48 C.F.R. Chapter 28 to provide supplemental Department procurement policies and procedures. As such, these regulations cover only those areas where specific agency implementation is required by the FAR or where Department policies or procedures exist that supplement FAR coverage. These regulations are designed to maximize competition and increase the quality of the goods and services procured by the Department. These regulations do not unnecessarily repeat or supplement the FAR, are largely internal to the Department in application, and do not impose, in any event, a substantial cost on the economy.

L. National Central Bureau - INTERPOL

INTERPOL has published regulations, 28 C.F.R. Part 73, setting forth the requirements for foreign investigative agents performing duties in the United States. These regulations do not impose a substantial burden on the economy and do not meet the threshold standard for review.

M. Office of Information and Privacy

The Office of Information and Privacy (OIP), a component of the Department's Office of Policy and Communications, coordinates the responsibilities of the Department of Justice under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and the Privacy Act of 1974, 5 U.S.C. § 552a. The Department's regulations implementing the FOIA, 28 C.F.R. Part 16, Subpart A, are purely procedural and do not impose any regulatory burdens on the public. Section 16.7 of those regulations implements the procedures under Executive Order

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No. 12600 for prior notification to submitters of confidential business information and providing them an opportunity to argue that the information is exempt from disclosure before such information they have submitted is disclosed in response to a FOIA request.

The Department's regulations implementing the Privacy Act, published at 28 C.F.R. Part 16, Subpart D, also are procedural and govern the maintenance, use and correction of systems of records. The Privacy Act provides for agencies to publish exemptions from its disclosure requirements and a number of other statutory requirements under the Act, depending upon the nature of the records in the system. Subpart E contains the published exemptions for the various systems of records maintained by the components of the Department of Justice. These regulations do not impose any regulatory burden on the public, but exempt the Department from having to comply with certain statutory requirements with respect to specified records.

N. Office of Justice Programs

The Office of Justice Programs (OJP) comprises five separate bureaus involved in research and grant-making activities: the National Institute of Justice (NIJ), the Bureau of Justice Statistics (BJS), the Bureau of Justice Assistance (BJA), the Office of Juvenile Justice and Delinquency Prevention (OJJDP), and the Office for Victims of Crime (OVC).

The regulations of the OJP agencies may be grouped into three categories.

1. Grant Administration. The first category includes regulations pertaining to the eligibility requirements and administration of specific OJP grant or benefit programs.

- 28 C.F.R. Part 31, OJJDP Formula Grants. This part defines eligibility and sets forth requirements for application for and administration of formula grants to State governments authorized by the Juvenile Justice and Delinquency Prevention Act, 42 U.S.C. § 5601, et seq., and managed by OJJDP.

- 28 C.F.R. Part 32, Public Safety Officers' Benefits Program. This regulation, administered by BJA, implements the Public Safety Officers' Benefits Act of 1976, as amended, 42 U.S.C. § 3796, et seq., and defines the conditions, terms, and procedural requirements for a specified survivor of a deceased public safety officer killed in the line of duty to receive a $100,000 benefit. This regulation is in the process of being revised to include the PSOB Act amendment in Pub. L. No. 101-647 providing for the same benefit to be paid to a public safety officer who has become permanently and totally disabled as the direct result of a catastrophic personal injury sustained in the line of duty.

- 28 C.F.R. Part 33, Criminal Justice Block Grants. This regulation, administered by BJA, defines eligibility criteria and sets forth requirements for application for and administration of block grants by State and local governments under the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 U.S.C. § 3711, et seq.

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- 28 C.F.R. Part 34, OJJDP Competition and Peer Review Procedures. This regulation implements section 262(d)(1)(A) and (d)(2) of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, 42 U.S.C. § 5601, et seq., by setting forth the competitive process and peer review requirements and procedures, and the application requirements for grants under various sections of the Act.

- 28 C.F.R. Part 65, Emergency Federal Law Enforcement Assistance. This regulation implements the Emergency Federal Law Enforcement Assistance Program authorized by 42 U.S.C. § 10501, et seq., and sets forth the eligibility criteria and procedures for State and local units of government that are experiencing law enforcement emergencies to receive Federal funds and other assistance.

- 28 C.F.R. Part 61, Procedures For Implementing the National Environmental Policy Act (NEPA). The bulk of this regulation pertains to Department-wide procedures for complying with the National Environmental Policy Act of 1969, 42 U.S.C. § 4321, et seq. Appendix D to this Part sets out the actions required by OJP agencies and their applicants for projects which might require an environmental impact statement.

- 28 C.F.R. Part 66, Uniform Administrative Requirements For Grants and Cooperative Agreements To State and Local Governments. As part of a government-wide Common Rule for Executive Branch agencies, which acts to replace OMB Circular A-102, this regulation establishes uniform administrative rules, including cost allowances and reporting requirements, for units of the Department for Federal grants and cooperative agreements and subawards to State, local and Indian tribal governments.

- 28 C.F.R. Part 69, Restrictions on Lobbying. This part implements for the Department the restrictions on lobbying enacted by Pub. L. No. 101-121, section 319, which prohibits the use of appropriated funds by the recipient of a Federal contract, grant, loan or cooperative agreement to pay any person to influence an attempt to influence agency employees or Members of Congress in connection with the awarding of Federal grants, contracts, etc.

The above-described regulations do not impose a substantial cost on the economy. It must be stressed at the outset that these regulations are applicable to only those persons, States, or units of local government that elect to apply for grants or benefits under these programs, annually a relatively small number when viewed in the context of the general population. Moreover, the program regulations (Parts 31, 32, 33, 34, and 65) merely recite, compile or serve to clarify statutorily established eligibility requirements or processes of grant application review mandated by Congress.

Part 61 sets out the procedures required to ensure that proposed projects give appropriate consideration and verification that their projects will not have an adverse

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environmental effect, which is a fundamental imperative of NEPA. Part 66 merely serves to articulate Federal cost principles, reporting requirements, and other conditions governing the administration of Federal grants that are widely-used and sanctioned by most, if not all, Executive branch agencies that award financial assistance, for the purpose of ensuring the efficient, effective use and accounting of Federal funds. Part 66 recites the new restriction on lobbying imposed by Congress on Federal financial assistance programs. In OJP's experience, the costs associated with these regulations to the grantees or other recipients are minimal and have virtually no effect on our nation's economy.

2. Criminal Information and Statistics. A second category of OJP regulations deals with criminal history record information, criminal intelligence systems, and the confidentiality of research and statistical information if these subject areas are addressed in projects funded by the OJP agencies.

- 28 C.F.R. Part 20, Criminal Justice Information Systems. This part sets forth the requirements for projects administered by State and local agencies, and individuals and funded under the Omnibus Crime Control and Safe Streets Act, as amended, 42 U.S.C. § 3711, which collect, store, or disseminate criminal history record information. These requirements assure that this record information, wherever it appears, is collected, stored, and disseminated in a manner consistent with constitutional and statutory standards to insure the completeness, integrity, accuracy and security of such information and to protect individual privacy.

- 28 C.F.R. Part 22, Confidentiality of Identifiable Research and Statistical Information. This regulation sets out the requirements which govern the use and disposition of research and statistical information obtained, collected, or produced either by OJP agencies or their grantees, subgrantees, or contractors, to protect the privacy of individuals.

- 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies. The purpose of this regulation is to impose standards on all criminal intelligence systems operating through support under the Omnibus Crime Control and Safe Streets Act, as amended, 42 U.S.C. § 3711, et seq., to ensure that these systems operate in conformity with the statutorily based privacy and constitutional rights of individuals.

These regulations do not impose a substantial cost on the economy. Again, the requirements set forth in these regulations apply only to those State, local agencies, or other entities that elect to seek funding for the subject areas covered by these regulations, not the general population as a whole. The safeguards set out in these regulations are designed to protect the privacy rights of individuals created by statutes and common law and to ensure the integrity of these operating systems and research and statistical findings. These requirements serve also to prevent successful lawsuits against the projects or the Federal government. For these reasons, OJP grantees freely accept these regulatory requirements as a condition of their awards because any procedural burden, the cost of which is minimal,

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is inconsequential when compared to the benefits these safeguards afford both the projects and the rights of individuals.

3. Denials of Grants and Sanctions. The last category of OJP regulations pertain to appeals related to grant denials and terminations, and enforcement of penalties and rights.

- 28 C.F.R. Part 18, OJP Hearing and Appeals Procedures. The purpose of these regulations is to implement the hearing and appeal procedures statutorily available to State block or formula grant applicants or recipients and existing categorical grantees regarding grant denials and terminations under the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 U.S.C. § 3711, et seq., the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, 42 U.S.C. § 5601, et seq., and the Victims of Crime Act of 1984, as amended, 42 U.S.C. § 10601, et seq.

- 28 C.F.R. Part 67, Government-Wide Debarment and Suspension (Nonprocurement) and Government-Wide Requirements For Drug-Free Workplace. This part sets forth the requirements and procedures which implement in the Department of Justice the government-wide nonprocurement debarment and suspension system mandated by Executive Order 12549. Under the policies and procedures embodied in this regulation, the product of a common rulemaking exercise orchestrated by the Office of Management and Budget, the Department may debar or suspend a person from receiving Federal financial and nonfinancial assistance under Federal programs for causes enumerated in this regulation. This part also implements in the Department the Government-Wide requirements of the Drug-Free Workplace Act of 1988 as it pertains to recipients of grants. For example, a grantee must assure the grantor agency as a condition of its grant that it will provide a drug-free workplace.

- 28 C.F.R. Part 42, Nondiscrimination; Equal Employment Opportunities; Policies and Procedures. This part pertains to the nondiscrimination policies and procedures promulgated by the Department to implement several Federal civil rights laws, including the Civil Rights Act of 1964, the Age Discrimination Act of 1967, the Rehabilitation Act of 1973, and OJP authorizing legislation. Subparts D, E and H, and Appendix D to Subpart G apply these nondiscrimination policies and procedures to projects funded by the OJP agencies to facilitate the timely investigation and remedial action, where warranted, of complaints of discrimination against projects funded by the OJP agencies.

We believe that the nature and statutory source of these regulations demonstrate that these regulations implement routine statutory provisions governing most, if not all, Federal financial assistance programs and clearly do not meet the threshold level of review. Each of these regulations is founded on either a Federal statute or an Executive Order, as noted, and serves only to provide the requisite policies and procedures necessary to carry out the

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intent of their enabling authority. These regulations provide support for the attainment of the Department's mission.

O. United States Marshals Service

The U.S. Marshals Service has only one published external regulation, 28 C.F.R. § 0.114, which sets forth the fees charged to private litigants for the services performed by the Marshals Service in federal civil court proceedings. This regulation conforms with the standards set forth in the President's memorandum, and does not impose a significant burden on the economy. The fee regulation is targeted to particular beneficiaries of specific Government services and is designed to reimburse the Government for specific costs incurred and services rendered.

P. United States Parole Commission

The U.S. Parole Commission has statutory authority, 18 U.S.C. § 4203, to promulgate rules and regulations implementing the parole statutes. These regulations, 28 C.F.R. Part 2, set forth the procedures and policies that govern parole and parole revocation hearings, as well as the terms and conditions of parole supervision. The Commission also has regulations setting forth its procedures for reviewing applications for exemptions from an ex-convicts inability to hold positions with unions and pension plans. All of these regulations concern only federal inmates and parolees, and those who represent them. They do not impose a substantial burden on the economy and are essential to a criminal law enforcement function of the United States.

III. DESCRIPTION OF PROCESSES USED TO REVIEW AGENCY REGULATIONS

In response to the President's memorandum of January 28, 1992, the Attorney General designated James F. Rill, Assistant Attorney General in charge of the Antitrust Division, to be the Department's oversight official in connection with the review of agency regulations. The Antitrust Division has coordinated the review of internal Department of Justice regulations with the substantial assistance of the Department's Office of Policy Development (OPD), which for several years has been the point of contact with the Office of Management and Budget regarding the review and clearance of agency regulations under Executive Order No. 12291.

The Department's immediate focus after the President's memorandum of January 28 was to obtain the necessary clearance for immediate publication of several pending regulations covered by statutory deadlines or of significant importance in enforcing the criminal laws. All requests for immediate publication were reviewed by OPD and the Office of Legal Counsel, and were approved by Assistant Attorney General Rill. Once those matters were handled, the Antitrust Division and OPD initiated a review of all of the Department's regulations.

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To further this review process, the heads of all components of the Department of Justice provided an analysis of their existing regulations under the standards of the President's memorandum, as well as a description of proposed regulatory or statutory changes resulting from this review process. Also, after receiving several letters suggesting changes to INS regulations, and recognizing the importance of receiving public comments especially in the complex area of immigration regulations, which affect millions of individuals as well as businesses, the Immigration and Naturalization Service published a notice in the Federal Register on March 30 (57 Fed. Reg. 10743), inviting public comments by April 29, 1992 on regulations that may be burdensome or otherwise appropriate for review under the standards of the President's memorandum. Any comments that are received too late to be addressed in the Department's initial response at the close of the 90-day review period will be addressed promptly in a supplemental analysis.

Once the individual components provided their analysis of existing regulations, those analyses were consolidated into a standard format, and a number of further inquiries were made of the components where necessary to obtain additional information or to respond to specific issues.

IV. DESCRIPTION OF MEANS TO INSTITUTIONALIZE THE REVIEW PROCESS

The Deputy Attorney General circulated a copy of the President's memorandum to the heads of all components of the Department, and each component, in proposing future regulatory actions, will be expected to justify its submissions under the standards of the President's memorandum, in addition to formal standards established under Executive Order Nos. 12291, 12498, and 12778.

Within the Department of Justice, most components do not have delegated rule-making authority, and their regulations are issued as Attorney General Orders. That regulations require the approval of the Attorney General brings into play a substantial and careful review process within the Department. However, rulemaking in some instances is decentralized, with the heads of certain components authorized to promulgate regulations on their own initiative. Principally, this category includes regulations adopted by the Bureau of Prisons and the Drug Enforcement Administration and certain regulations issued by the Immigration and Naturalization Service. (The U.S. Parole Commission, which is attached to the Department for administrative purposes, issues its regulations separately.)

Several years ago, in order to provide greater policy guidance and coordination with respect to all regulations prepared by the many components of the Department of Justice, particularly those with independent rulemaking authority, the Attorney General directed the Department's Office of Policy Development (OPD) to be the principal point of contact with OMB on regulatory issues, and to review all regulatory proposals before submission to OMB.

Although it is rare that regulations published by the Department meet the threshold standard for review under the President's memorandum (in that they would impose a substantial cost on society), the standards of that memorandum nevertheless set forth

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valuable standards that will be used to inform future rulemaking by the Department, whether or not they meet the threshold standard. In addition to requiring each component to scrutinize its own regulatory actions, the Department's review process now will include a specific step to ensure that this analysis was done, prior to submission of the regulation to OMB.

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